



WHITE BEAR TOWNSHIP

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RAMSEY COUNTY
MINNESOTA

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Board of Supervisors
ROBERT J. KERMES, *Chair*
ED M. PRUDHON
STEVEN A. RUZEK

AGENDA TOWN BOARD MEETING AUGUST 7, 2017

1. **7:00 p.m.** - Call to Order at Heritage Hall, 4200 Otter Lake Road.
2. Approval of Agenda (Additions/Deletions).
3. Approval of Payment of Bills.
4. Approval of Minutes of July 24, 2017 (Additions/Deletions).
5. **Consent Agenda:**
 - A. **Data Practices Policy & Resolution** – Approve Data Practices Policy & Adopt the Resolution Appointing the Responsible Authority & Compliance Official for the Town of White Bear.
 - B. **Reschedule September 4, 2017 Town Board Meeting Due to Holiday** – Reschedule September 4, 2017 Town Board Meeting to Wednesday, September 6, 2017 Due to the Labor Day Holiday.
 - C. **League of Minnesota Cities Liability Coverage** – Approve Waiver of Liability Form.
 - D. **Storm Water Pollution Prevention Program** – Call the Informational Public Hearing for Monday, October 2, 2017 @ 7:10 p.m., for the Annual Presentation of the Town's Storm Water Pollution Prevention Program.
 - E. **VFW On-Sale Liquor License** – Approve Township Day On-Sale License Request.
 - F. **Tally's Blues Fest On-Sale Liquor License** – Approve Blues Fest On-Sale License Request.
 - G. **Advisory Speed Sign Request** – Receive Birch Lake Townhome Advisory Speed Sign Request & Refer to the Public Works Director & Town Traffic Engineer for Review & Recommendation.
 - H. **2017 Bow Hunting Request** – Approve 2017 Deer Hunting Request for Joe Mailer & Harry Kavaloski on Township Property South of Benson Airport.
 - I. **Ramsey County 2017 Archery Deer Hunt Request** – Approve Archery Deer Hunts at the Tamarack Nature Center & Poplar Lake.
 - J. **Right-of-Way Permit** – Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve CenturyLink Permit to Install a New Cabinet at the Southeast Corner of Bellaire Avenue & Martin Way Which Will Connect the Existing System to the New Cabinet.



recycled paper

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6. **Old Business:**

- A. **SEH Agreements for Professional Services – Environmental & Transportation** – Approve Agreements & Authorize Execution by Town Board Chair.

7. **New Business:**

- A. **7:10 p.m. Public Hearing – Variance Request, 5451 Williams Avenue** – Consider a 7.3' Right-of-Way Setback Variance & a 13 Right-of-Way Setback Variance to Allow Reconstruction of a Garage.
- B. **7:20 p.m. Public Hearing – Water Gremlin, 4336 Otter Lake Road** – Construction Requests as Follows:
- Comprehensive Plan Amendment
 - Rezoning
 - Vacation of Easements
 - Minor Subdivision
 - Permitted Use Standards Permit
- C. **7:45 p.m. Public Hearing – Ordinance No. 35 Amendments** – Consider Amending Section 6-2 – District Purposes, Section 6-4 – Permitted Uses, Section 6-5 Conditional Uses & Table 7-1 Establishing the Adult Entertainment Zone.
- D. **7:55 p.m. Public Hearing Continuation – Southwind Holdings, LLC, 5960 Highway 61** – Request for Conditional Use Permit to Allow Conversion of the Car Wash to a Liquor Store & Related Site Improvements.

Town Planner Items:

- E. **Veeco, 4875 Constellation Drive** – Request for Sign Installation Variance from Ordinance No. 33 – Sign Ordinance.

Public Works Director Item:

- F. **Mead Park Picnic Shelter** – Approve Roof Replacement.

General Business:

- G. **Public Works Building Dormers** – Authorize TKDA to Engineer a Dormer Design over the Two Front Service Doors.
- H. **North Oaks Utility Billing** – Approve Memorandum of Understanding & Authorize Execution by the Town Board Chair & Town Clerk.

8. **Added Agenda Items.**
9. **Open Time.**
10. **Receipt of Agenda Materials & Supplements.**
11. **Adjournment.**



Town Board Meeting August 7, 2017

Agenda Number: 1 - 2 - 3 - 4

Subject: Call to Order – 7:00 p.m.
Heritage Hall, 4200 Otter Lake Road

Approval of August 7, 2017 Agenda

Approval of Payment of Bills

Approval of Minutes of July 24, 2017

Documentation: August 6, 2017 Agenda
July 24, 2017 Minutes

Action / Motion for Consideration:

Call meeting to order:	7:00 p.m.
Approval of Agenda:	August 7, 2017 (additions/deletions)
Approval of Payment of Bills	
Approval of Minutes:	Minutes of July 24, 2017

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JULY 24, 2017**

The meeting was called to order at 7:03 p.m.

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

The Clerk reported that there is a conflict with the August 21, 2017 Town Board Meeting. It was the consensus that the meeting be rescheduled to Monday, August 28, 2017. Ruzek moved to reschedule the August 21, 2017 Town Board meeting and scheduled Public Hearings to Monday, August 28, 2017. Prudhon seconded. Ayes all.

APPROVAL OF AGENDA (Additions/Deletions): Ruzek moved to approve the agenda with the following amendments: 2A) Reschedule August 21, 2017 Town Board Meeting to Monday, August 28, 2017; 8A) Columbia Park – Request to Issue a Special Use Permit Which Would Extend Park Hours. Prudhon seconded. Ayes all.

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

APPROVAL OF EMERGENCY MEETING MINUTES OF JUNE 27, 2017 & MINUTES OF JULY 6, 2017 (Additions/Deletions): Prudhon moved approval of the Emergency Meeting Minutes of June 27, 2017. Ruzek seconded. Ayes all.

Ruzek moved approval of the Minutes of July 6, 2017. Kermes seconded. Ayes: Ruzek and Kermes. Abstain: Prudhon.

CONSENT AGENDA: Ruzek moved to approve the Consent Agenda as follows: 5A) Call Public Hearing for Monday, August 28, 2017, Beginning at 7:10 p.m. for Modification of TIF District; 5B) Call Public Hearing for Monday, August 28, 2017 at 7:20 p.m. for Special Three dog License Request at 2340 Hoxie Avenue; 5C) Call Public Hearing for August 28, 2017 at 7:30 p.m. for Special Three Dog License Request at 1651 Garden Lane; 5D) Proclaim Tuesday, August 1, 2017 as Night to Unite in White Bear Township & Call a Special Town Board Meeting for Tuesday, August 1, 2017 Beginning at 5:30 p.m. Prudhon seconded. Ayes all.

TOWN HALL OPERATIONS: 1) RESTORATION CAMPAIGN; 2) FACILITY OPERATIONS: The Clerk reported that the Town Board and Economic Development Authority are working with the White Bear Lake Area Historical Society and the Economic Development Advisory Board on a Town Hall Restoration Fundraising Campaign along with an ongoing agreement with the historical society on managing the Town Hall in 2017 and 2018. The agreements will be before the Town Board for final review and approval at the August 28, 2017 Town Board Meeting.

Prudhon moved to receive the Clerk's report on the Town Hall Restoration Fundraising Campaign and Facility Operations agreement. Ruzek seconded. Ayes all.

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2ND QUARTER CONSTRUCTION REPORT: The Building Official reviewed the 2017 year-to-date Construction Activity Report. There were 11 housing permits issued for valuation of \$2,611,000; year-to-date 2016 had 6 permits with a valuation of \$1,868,704. There were 205 miscellaneous residential permits issued for a valuation of \$3,186,086; year-to-date 2016 had 297 permits issued for a valuation of \$2,902,802. There were 5 commercial permits issued for a valuation of \$174,500 for minor remodel; year-to-date 2016 had 10 permits issued for a valuation of \$3,816,155. Total permits issued year-to-date 2017 were 221 for a valuation of \$5,971,586; year to date 2016 total permits issued were 316 for a valuation of \$8,587,661. Second quarter permits issued by type were: 161 building permits which accounted for 38% of all permits issued second quarter; 86 plumbing permits – 20%; 57 electrical permits – 13%; 44 zoning permits – 10%; 52 mechanical permits – 12%; 24 utility permits – 6%. The Building Official reported that the first new home building permit for the Pine Hill project was issued on May 23, 2016. There have now been 17 permits issued for new home construction. Eleven lots remain undeveloped.

LAKE ANIMAL HOSPITAL, 5900 HIGHWAY 61 – REQUEST FOR PERMITTED USE STANDARDS PERMIT TO ALLOW CONSTRUCTION OF A NEW VETERINARY CLINIC FACILITY: The Planner provided an overhead of the proposed Lake Animal Hospital. He indicated that there is an architect's drawing of the proposed project available. He reported that the request is for an approval of a Permitted Use Standards Permit which would allow development of their site including construction of a new building. The existing building will be demolished when the new building and parking lots are completed. The new building is proposed to be 5,498 square feet in area. It is proposed to be located just south and east of the existing building. New parking lots are proposed on the east and west side of the building. The existing driveway will be reconfigured and shifted away from the north lot line so it meets setback requirements. The driveway access to Highway 61 will not change locations.

The property is located within the airport Land Use Safety Zones, impacting almost one-half of the property. Land Use Safety Zone A, which begins at the end of the runway and extends two-thirds the length of the runway covers the southwesterly portion of the Lake Animal Hospital property. Safety Zone A limits uses to overhead transmission lines, and such uses as agricultural, horticulture, animal husbandry, livestock raising, wildlife habitat, light outdoor recreation (non-spectator), commercial and vehicle parking lots. No above ground structures or structural hazards are permitted in Zone A. The building is being planned on the property so it is not in Safety Zone A. The only structure proposed within Safety Zone A is a portion of the west side parking lot and the driveway. The building and parking lot locations have been designed to meet airport safety zone requirements. A landscaping plan has also been designed for the site redevelopment. The quantity of plant material proposed meets the requirements for a lot of this size. The location of the plant material proposes no overstory trees within Land Use Safety Zone A. There are MnDOT and Engineer Requirements which will be met. They include: MnDOT: label the MnDOT right-of-way on the plan; no permanent structures will be allowed in the MnDOT right-of-way; terminate the curb and gutter at the property line; extend the culvert pipe under the driveway as needed and consider reusing or replacing the two existing safety aprons and grade the access as needed; submission of any additional data required by MnDOT. Engineering requirements include: there must be a minimum 3' separation between the low floor elevation of the building and the 100 year basin

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elevation of the stormwater treatment ponds; An NPDES Permit shall be obtained; A SWPPP must be provided to the Town; all requirements of the Rice Creek Watershed District; all requirements of the Town's Fire Inspector; any exterior mechanical components shall be screened from view of a public right-of-way by fencing or landscaping or painted to match the building; the existing building shall be demolished within three months of the completion of the new building; stormwater treatment ponds shall be maintained by the property owners to insure that the 48-hour drawn down of standing water is occurring. Modifications or maintenance to the storm pond must occur in a timely manner to insure 48 hour drawdowns; and the owners of the Lake Animal Hospital will regularly monitor the stormwater ponding for water fowl and will take all necessary steps to keep nuisance foul from congregating on the ponds. These conditions are listed in the Zoning Certificate for Permitted Use Permit. The Planner reported that the Planning Commission has reviewed the request for Permitted Use Standards Permit and recommend approval.

Prudhon moved, based on Planning Commission and Staff review and recommendation to approve the request for Permitted Use Standards Permit and to adopt the Zoning Certificate to allow construction of a new Veterinary Clinic Facility for Lake Animal Hospital, 5900 Highway 61. Ruzek seconded. Ayes all.

DOUG & ALLISON DRUSCH, 5474 EAST BALD EAGLE BOULEVARD – REQUEST FOR A 12' RIGHT-OF-WAY SETBACK VARIANCE TO ALLOW CONSTRUCTION OF A LAKESIDE ADDITION:

The Planner reported that Doug and Allison Drusch, 5474 East Bald Eagle Boulevard are requesting approval of a 12' right-of-way setback variance which would allow them to construct an addition onto the lake side of their home. The addition which is two stories of finished space on the southwest end of the home and two new decks, one attached to the second story and the other on the main level deck will replace an existing deck. The addition is proposed to be 8' x 10'. The Drusch lot is 40' wide and 7,405 square feet in area. The addition is proposed to be 8.6' from the side property line and 23' from the East Bald Eagle Boulevard right-of-way. The deck being replaced is located closer to the East Bald Eagle Boulevard right-of-way than the proposed decks. In 2003, the Town reviewed and approved a second story deck which required approval of a 17.4' right-of-way variance at 5472 East Bald Eagle Boulevard. The Drusch decks are proposed to be set back further from the right-of-way than the abutting deck. The addition to the Drusch home should not have a negative impact on the view to Bald Eagle Lake and the proposed addition and decks will follow the general right-of-way setback established in the neighborhood. He noted that the lot is an undersized lot of record (40' wide and 7,405 square feet in area) and decreases the non-conformity. In response to a question if there is a modification to the roof line, the Planner referred to the site plan which shows that the roof line will continue the slant of the current roof. The Planner reported that request was reviewed by the Variance Board and Planning Commission and both recommend approval of the 12' right-of-way setback variance as requested.

Ruzek moved, based on Variance Board, Planning Commission and Staff review and recommendation to approve a 12' right-of-way setback variance to allow construction of a lakeshore addition for the property at 5474 East Bald Eagle Boulevard. Prudhon seconded. Ayes all.

HAMMOND ROAD CUL-DE-SAC & WHITE BEAR PARKWAY STORM SEWER – AUTHORIZE PREPARATION OF PLANS & SPECIFICATIONS:

The Engineer reported that the Township continuously updates its listing of the storm water system that has deteriorated and should be replaced. The Utility Commission reviews the proposed storm water projects and recommends performing necessary projects based on staff recommendations due to the poor condition of the pipes including the inlets and outlets. The Utility Commission has recommended proceeding with the Hammond Road cul-de-sac and the White Bear Parkway (west of Otter Lake Road) projects. The projects will be reviewed with Rice Creek Watershed District regarding the need for a permit. TKDA would work with the staff and RCWD to prepare plans and specifications for these projects including the bidding process for an amount of \$4,800.00. The plans would be brought to the Town Board for review and approval. The Capital Improvements Plan has Storm Water Utility funding for this type of project. The Storm Water project list has the two projects estimated at a total of \$50,000.00. In response if this project would be part of the requirement for the MS4 permit, the Engineer stated that it would be because it involves maintaining the storm water system.

Prudhon moved, based on Utility Commission, Town Engineer, and Public Works Director's review and recommendation, to authorize TKDA to prepare plans and specifications including the bidding process for the replacement of the storm sewer pipes, etc. at the Hammond Road cul-de-sac and White Bear Parkway area west of Otter Lake Road for an amount not to exceed \$4,800.00. Ruzek seconded. Ayes all.

SIMPLE RECYCLING – PAUL GARDNER: The Clerk reported that Mr. Gardner has presented the Simple Recycling program to the Utility Commission on two occasions. The Utility Commission has indicated interest in materials that Simple Recycling would pick up and how the program works. After Mr. Gardner's presentation they are supportive of the program. The Simple Recycling program picks up textiles or soft materials that are currently not being recycled as part of the Town's solid waste and recycling collection. White Bear Township only allows refuse and recycling from contracts that have been approved by the Town Board. Other regular collections of these materials proposed for pick up by Simple Recycling would only be permitted under contract. Paul Gardner is requesting Town approval for collection of these types of materials.

Paul Gardner reported that he works for Waste Zero with service to help waste haulers cut their disposal. They have a long history in the east but are expanding in the west. He reported that Simple Recycling is a fairly new company and is a spinoff of a chain of thrift stores that are located in the Great Lakes area and have been looking for a way to get more used clothing and textiles to be able to sell in thrift stores. They developed a transportation model in which they provide free year-round curbside textiles and clothing collection on the same day as regular recycling pickup. This program started in the Cleveland and Detroit areas and is now operating in Texas and Indiana. The program started up in the Chicago suburbs and is now providing service for 150,000 households here in the Twin Cities area. Once Simple Recycling has a contract with a city or township they send out a mailer announcing the program and what type of materials which are permitted, such as clothing, textiles, shoes, toys, jewelry, and small home goods. Two weeks later a second mailer would be sent which includes two drawstring bags which are marked with what is accepted, provides a phone number and link to a website.

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The filled bag is placed at the curb with materials identified in the mailer near the recycling container. Simple Recycling picks up the bag using a quiet vehicle, a Ford transit van, specially marked. After picking up the filled bag they leave bags behind for as many as are put out for pick up plus one additional bag. The bags are taken to a facility in Minneapolis and then trucked to a grading facility. About 30% is used in domestic thrift stores for resale; one-third is appropriate for overseas market; and the other third is used in the making of insulation and mattress padding which comes from worn and torn clothing. Americans throw away about 85% of clothing and textiles even with the charitable drop off locations. There are willing and paying markets for these materials. As such, Simple Recycling has by contract, arrangement with cities where they pay \$20.00 per ton for this material. In White Bear Township it may be less than \$1,000 per year but the Town is not paying \$50 - \$80 - \$100 per ton as you would for recycling. Mr. Gardner reported that the truck is a quiet Ford transit van so there are no concerns about noise. The driver will leave behind the number of bags equal to what was put out plus one. Haulers are generally supportive of the program once they find out how the program works. They realize it is materials that they do not want to pick up and it takes the material out of their recycling center. Republic has two recycling centers which use highly sensitized optical scanners for the conveyor lines. People do put clothing in the recycling bins and the clothing gets caught up in the conveyor system with the rubberized disks that separate paper from containers. Once facility operators realize that the Simple Recycling program keeps clothing out of their facility they are supportive and it does not impact their revenue stream. There has been no opposition noted from the charities of Minnesota. Worn and torn clothing can be resold or repurposed for some other reason. Once they realize that the material has some value they are willing to participate. Simple Recycling strongly urges people to donate to their local charity if they have a strong bond with them. One hundred fifty thousand households are being collected at present: Anoka County, Coon Rapids, Mounds View, Shoreview, Arden Hills (voting tonight), and possibly White Bear Township. There is a pickup in Maplewood by Tennes Sanitation through offer by Simple Recycling for their 35,000 households in the east metro. In response to a question if the service is at no cost to the homeowner, Mr. Gardner stated that is correct. The contract states that there is no cost to the homeowner, the Township or its taxpayers. In response to a question if Simple Recycling has talked with Republic about the service, Mr. Gardner reported that he has. There was one issue in Shorewood where the Simple Recycling bag was placed on top of the haulers' container. This caused problems with the automatic pick up system but a quick call and education solved the problem. He reported that only 1% - 2% of households participate on any given day so the vans do not make that many stops per day. In response to a question if an "on call" basis would work since there are not that many stops, Mr. Gardner stated that in the early days that was the system used but it was found that having a drive-by pick-up service was more cost efficient than taking the calls. Prudhon noted that curb side organic recycling is also being considered and with Simple Recycling there would be a fourth truck. In response to a question where new bags would be placed when the picked-up filled bags are taken, Mr. Gardner reported that they place them at the door under the door mat or at the storm door. Ruzek noted that the list of recyclables are clothing but that there are other things accepted. Mr. Gardner explained that shoes, jewelry and small household goods are accepted. He reported that the first contact that people get is a post card mailer explaining what is accepted. When the first bags are mailed out it will contain a list of acceptable items, phone number, and link to website. The report of all the tonnage that is collected is available for SCORE reporting to the

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County on how much has been recycled. Kermes asked if the matter should go back to the Utility Commission after the contract is reviewed by the Town Attorney. The Clerk noted that the Utility Commission was very supportive of the program and has received two presentation by Mr. Gardner and all their questions were answered so it would not have to go back to the Utility Commission.

Ruzek moved to authorize the Town Attorney to review the Agreement for Collection of Soft Recyclables and provide recommendation at the August 7 or August 28, 2017 Town Board meeting. Prudhon seconded. Ayes all.

PART-TIME ADMINISTRATIVE INTERN POSITION – APPOINT: The Clerk noted that at a previous Town Board Meeting a prioritized list of tasks for an administrative intern position was reviewed. Over that past few years filing has fallen behind due to higher priority tasks taking priority. Administrative and Public Works staff recommends that the Town Board consider hiring a temporary part time intern to help with the administrative duties. The Board received the report at the June Executive Meeting and since that time tasks have been defined and advertised for the position. Four applications were received. Staff recommends that the position be handled in the same manner as the summer help temporary positions are handled. The Finance Officer has identified a potential source of funding for the temporary position. Funding could come from funds budgeted for the Public Works summer help which has \$16,000.00 unspent. The intern is not expected to exceed that amount. The Clerk noted that the position is for summer 2017. If one of the interns would be able to work after the school year starts staff would like to keep the position flexible. It is proposed to hold interviews over the next two weeks and to fill the position as soon as possible.

Ruzek moved to authorize up to \$3,000 for temporary administrative intern position with funding from the summer help fund established for Public Works and to authorize staff to conduct interviews. Prudhon seconded. Ayes all.

PARK DEDICATION FEE INCREASE: The Planner reported that the Township and many cities develop parks using funding from a “park dedication” fund. This fund which is regulated by the subdivision ordinance requires payment of a park dedication fee when a single property is subdivided into smaller parcel(s). Land for park development may also be accepted to satisfy the Town’s park dedication fee requirements. Funding collected is placed in a Park Acquisition and Development fund. The funding may only be used to acquire property or develop parks. The formula for collection of land or cash is determined based upon the undeveloped land value. Up to 10% of the land value or the land itself may be accepted. The 10% formula is usually used when a large property subdivides. When individual lots are created a set fee of \$1,000 is collected. Recently the 10% cash dedication (based on the undeveloped land value) for a major subdivision, has amount to more than \$1,000 per lot. The fees for several subdivisions were: Hidden Ponds – land dedication; The Boardwalk (2004) - \$1,333/lot; Wyldrige Preserve (2005) - \$1,500/lot; Sunridge Estates (2004) - \$1,570/lot; Power Estates (2011) - \$3,480/lot. A recent metro area survey of park dedication fees showed 2016 residential park dedication fees to be between \$7,500 (City of Plymouth) at the high end to \$ 1,720 (New Brighton) at the low end. The Park Board reviewed the Town’s park dedication fee

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and recommends that it be raised from \$1,000 to \$3,500. The Town Attorney explained that since this is considered an impact fee, justification should be provided for the increase.

Ruzek moved, based on Park Board review and recommendation, to approve the increase of the Park Dedication Fee from \$1,000 to \$3,500 as the \$3,500 amount more accurately reflects 10% of the undeveloped value of the land, the higher cost of park maintenance and is closer to neighboring communities park dedication fees. Prudhon seconded. Ayes all.

COLUMBIA PARK – REQUEST TO ISSUE A SPECIAL USE PERMIT WHICH WOULD EXTEND PARK HOURS:

Town resident, Barbara O'Brien, is requesting approval to hold a glow in the dark soccer game on August 3, 2017, which if approved would allow use of the Columbia Park soccer field until 10:00 p.m.. This is 45 minutes after the park closes (1/2 hour after sunset, which is at 9:15 p.m.). With cleanup it is anticipated the group will be done using the park by 10:30 p.m. The game is being played by 8th grade students from Frassati Catholic Academy. There are 22 students which are planning to pay. The students will wear glow in the dark bracelets and/or necklaces. The goals are marked with glow sticks and a glow in the dark ball is used. Per Park Ordinance, the Town Board may issue a Special Use Permit for a park event planned beyond normal park hours. Prudhon asked if the Park Ordinance protects Town assets after park hours. The Town Attorney stated that if the after-hours use is authorized by the Town Board the insurance policy should cover the use. In response to a question regarding the curfew for young adults which is exceeded by the soccer game running beyond curfew time it was recommended that staff check with the Ramsey County Sheriff's Office. The RC Sheriff's Office should also be made aware of the after-hours game. It was the consensus that the residents adjacent to the park be notified of the after-hours game by information on the Town's website, or a flyer left in their mailbox or door.

Ruzek moved to authorize a Special Use Permit which would extend park hours at Columbia Park on August 3, 2017 to 10:00 p.m. to hold a glow in the dark soccer game, contingent upon notification to the Ramsey County Sheriff's Office, clarification of exceeding the curfew, and flyer or information provided residents adjacent to Columbia Park. Prudhon seconded. Ayes all.

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

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

Ruzek moved to adjourn the meeting at 8:10 p.m. Prudhon seconded. Ayes all.

Respectfully Submitted,

William F. Short
Clerk-Treasurer

Approved as Official Meeting Minutes



**Town Board Meeting
August 7, 2017**

Agenda Number: 5A – Consent Agenda

Subject: **Data Practices Policy & Resolution** – Approve Data Practices Policy & Adopt the Resolution Appointing the Responsible Authority & Compliance Official for the Town of White Bear

Documentation: Staff Memo
Data Practices Policy
Resolution

Action / Motion for Consideration:

Receive Information / Discuss

Approve:

- 1) Data Practices Policy for Members of the Public
- 2) Resolution Appointing the Responsible Authority & Data Practices Compliance Official Pursuant to the Data Practices Act (Chapter 13 of the Minnesota Statutes) & Minnesota Rules, Chapter 1205

Ruzek - Moves

Prudhon – Seconds

MEMORANDUM

TO: TOWN BOARD
FROM: PATTI WALSTAD
DATE: JULY 19, 2017

SUBJECT: DATA PRACTICES POLICY

In 1996 the Township passed a Resolution appointing Tom Kelly as the Responsible Authority and Patti Walstad as the Compliance Official, to comply with the Data Practices Act (Chapter 13 of Minnesota Statutes). No formal detailed policy was adopted at that time.

Staff has now drafted a more detailed policy which sets forth the person to contact regarding a request, the request procedure and potential fees, etc. which may be charged by the Township.

Requested Action:

The matter could be placed on the August 7th Town Board meeting agenda for approval and revised/updated each August if necessary as suggested by the Town Attorney. See below:

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DATA PRACTICES POLICY: The Town Attorney stated that the Data Practices Policy should be updated each year in August. He noted that the last time it was updated was 1995/1996. He noted that Data Practices Contacts should be included in the policy. It was noted that currently the Finance Officer is the Compliance Official and Patti Walstad the Responsible Authority. There was discussion regarding requests for data. The Township is obligated to make data available but the activity should be monitored and there should be a charge. A staff member should monitor the activity when the data is being reviewed. The matter will placed on a future Town Board meeting.

Also, the appointments of Tom Kelly as Responsible Authority, Patti Walstad as Compliance Official, and Lynette Olinger as Data Practices Designee could be added to the list of appointments at the Organizational Meeting held in January of each year.

PSW/s
cc:admin.file



Data Practices Policy for Members of the Public

Background: The purpose of this policy is to comply with the Government Data Practices Act (Minnesota Statutes, Chapter 13).

Purpose - Right to Access Public Data:

The Government Data Practices Act (Minnesota Statutes, Chapter 13) presumes that all government data are public unless a state or federal law says the data are not public. Government data is a term that means all recorded information a government entity has, including paper, email, flash drives, CDs, DVDs, photographs, etc.

The Government Data Practices Act also provides that this government entity must keep all government data in a way that makes it easy for you, as a member of the public, to access public data. You have the right to look at (inspect), free of charge, all public data that we keep. You also have the right to get copies of public data. The Government Data Practices Act allows us to charge for copies. You have the right to look at data, free of charge, before deciding to request copies.

Policy / Procedure:

How to Make a Data Request.

You can look at data, or request copies of data that this government entity keeps. Make your request for data to the appropriate individual listed in the Data Practices Contacts listed herein and using the attached Data Request Form.

If you choose not use to use the data request form, your request should include:

- You are making a request for public data under the Government Data Practices Act (Minnesota Statutes, Chapter 13).
- Whether you would like to inspect the data, have copies of the data, or both.
- A clear description of the data you would like to inspect or have copied.

This government entity cannot require you, as a member of the public, to identify yourself or explain the reason for your data request. However, depending on how you want us to process your request (if, for example, you want us to mail you copies of data), we may need some information about you. If you choose not to give us any identifying information, we will provide you with contact information so you may check on the status of your request. In addition, please keep in mind that if we do not understand your request and have no way to contact you, we will not be able to begin processing your request.

How we Respond to a Data Request.

Upon receiving your request, we will work to process it.

- If it is not clear what data you are requesting, we will ask you for clarification.
- If we have the data, but the data are not public, we will notify you as soon as reasonably possible and state which specific law says the data are not public.
- If we have the data, and the data are public, we will respond to your request appropriately and promptly, within a reasonable amount of time by doing one of the following:
 - Arrange a date, time, and place to inspect data, for free, if your request is to look at the data, or
 - Provide you with copies of the data as soon as reasonably possible. You may choose to pick up your copies, or we will mail or fax them to you. We will provide electronic copies (such as email or CD-ROM) upon request if we keep the data in electronic format.

If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please let us know. We will give you an explanation if you ask.

The Government Data Practices Act does not require us to create or collect new data in response to a data request if we do not already have the data, or to provide data in a specific form or arrangement if we do not keep the data in that form or arrangement (for example, if the data you request are on paper only, we are not required to create electronic documents to respond to your request). If we agree to create data in response to your request, we will work with you on the details of your request, including cost and response time.

In addition, we are not required under the Government Data Practices Act to respond to questions that are not specific requests for data.

Requests for Summary Data.

Summary data are statistical records or reports that are prepared by removing all identifiers from private or confidential data on individuals. The preparation of summary data is not a means to gain access to private or confidential data.

Upon receiving your written request we will respond as soon as reasonably possible with the data or details of when the data will be ready and how much we will charge.

Data Practices Contacts:

Responsible Authority:

Name	Patti Walstad, Paralegal
Address	1281 Hammond Road White Bear Township MN 55110 Direct Dial - 651.747.2756 Fax - 651.426.2258 E-mail – patti.walstad@whitebeartownship.org

Data Practices Compliance Official:

Name Tom Kelly, Finance Officer
Address 1281 Hammond Road
White Bear Township MN 55110
Direct Dial – 651.747.2760
Fax – 651.426.2258
E-mail – tom.kelly@whitebeartownship.org.

Data Practices Designee(s):

Name Lynette Olinger, Finance Analyst
Address 1281 Hammond Road
White Bear Township MN 55110
Main Phone – 651.747.2750
Fax – 651.426.2258
E-mail – wbt@whitebeartownship.org

Copy Costs – Members of the Public.

This government entity charges for copies of government data. These charges are authorized under Minnesota Statutes, section 13.03, subdivision 3(c). Payment is required at time of pick-up.

For 100 or fewer paper copies – 25 cents per page

100 or fewer pages of black and white, letter or legal size paper copies cost 25¢ for a one-sided copy, or 50¢ for a two-sided copy.

Most other types of copies – actual cost

The charge for most other types of copies, when a charge is not set by statute or rule, is the actual cost of searching for and retrieving the data, and making the copies or electronically transmitting the data (e.g. sending the data by email).

In determining the actual cost of making copies, we factor in employee time for assembling the requested data, employee time for copying, the cost of the materials onto which we are copying the data (paper, CD, DVD, etc.), and mailing costs (if any). If your request is for copies of data that we cannot reproduce ourselves, such as photographs, we will charge you the actual cost we must pay an outside vendor for the copies.

If, because of the subject matter of your request, we find it necessary for a higher-paid employee to search for and retrieve the data, we will calculate the search and retrieval portion of the copy charge at the higher salary/wage and will be noted on the Data Request Form.

Adopted by the Town Board on August ____, 2017.



WHITE BEAR TOWNSHIP
 1281 Hammond Road
 White Bear Township, MN 55110
 Phone: 651.747.2750
 Fax: 651.426.2258
www.whitetownship.org

Data Request Form

To: Patti Walstad
 1281 Hammond Road
 White Bear Township MN 55101

A. COMPLETED BY REQUESTER

Requester Name (Last, First, MI):	Date of Request:
Street Address:	Request Type: <input type="checkbox"/> In-Person <input type="checkbox"/> Phone <input type="checkbox"/> Mail
City, State, Zip Code:	Phone Number:
Description of the Information Requested:	Signature:

Note: You do not have to provide any contact information. However, if you want us to mail/e-mail you copies of data, we will need some type of contact information. In addition, if we do not understand your request & need to get clarification from you, without contact information we will not be able to begin processing your request until you contact us.

We will respond to your request as soon as reasonably possible.

A. COMPLETED WHEN FEES ARE ASSESSED:

Photocopying Charges: <input type="checkbox"/> None <input type="checkbox"/> _____ x 0.25 = \$ _____ (# of pages)	Fees: (Complete Cost Calculation)
Hourly Employee Rate: (If applicable) \$ _____ per hour	
Total Amount Due: \$ _____	Received By: _____ Date: _____
Authorized Signature: _____	

You may be required to pay the actual costs of making and/or compiling the copies of information requested.

EXTRACT OF MINUTES OF A MEETING OF THE TOWN
BOARD OF THE TOWN OF WHITE BEAR, MINNESOTA,
HELD ON AUGUST 7, 2017

Pursuant to due call and notice thereof, a Regular meeting of the Town Board of the Town of White Bear, Minnesota, was duly held at Heritage Hall in said Town on August 7, 2017, at 7:00 p.m.

The following members were present: Kermes, Prudhon, Ruzek; and the following members were absent: None.

Supervisor Ruzek introduced the following Resolution and moved its adoption:

**RESOLUTION APPOINTING THE RESPONSIBLE
AUTHORITY & DATA PRACTICES COMPLIANCE
OFFICIAL PURSUANT TO THE DATA PRACTICES ACT
(CHAPTER 13 OF MINNESOTA STATUTES) & MINNESOTA
RULES, CHAPTER 1205**

WHEREAS, pursuant to the Data Practices Act (Chapter 13 of Minnesota Statutes) and Minnesota Rules, Chapter 1205, the Township is required to appoint a Responsible Authority who is responsible for the collection, use and dissemination of all entity data, and for all of the entity's data practices decisions,

AND WHEREAS, the Responsible Authority must appoint a designee to be the Compliance Official who will be responsible for receiving and complying with requests for government data, and for answering inquiries from the public concerning the provisions of Chapter 13 or the Rules,

NOW, THEREFORE, BE IS RESOLVED BY THE TOWN BOARD OF THE TOWN OF WHITE BEAR, MINNESOTA:

1. That the Town hereby appoints Thomas Kelly, Finance Officer, to act as the Responsible Authority who will be responsible for the collection, use and dissemination of all entity data, and for all of the entity's data practices decisions for the Township.
2. That Thomas Kelly, Finance Officer, hereby appoints Patti Walstad, Paralegal, as the Compliance Official who will be responsible for receiving and complying with requests for government data, and for answering



**Town Board Meeting
August 7, 2017**

Agenda Number: 5B – Consent Agenda

Subject: Reschedule September 4, 2017 Town Board Meeting Due to Holiday – Reschedule September 4, 2017 Town Board Meeting to Wednesday, September 6, 2017 Due to the Labor Day Holiday

Documentation: None

Action / Motion for Consideration:

Receive Information / Discuss

Reschedule September 4, 2017 Town Board Meeting to Wednesday, September 6, 2017 Due to the Labor Day Holiday



**Town Board Meeting
August 7, 2017**

Agenda Number: 5C – Consent Agenda

**Subject: League of Minnesota Cities Liability Coverage –
Approve Waiver of Liability Form**

**Documentation: Finance Officer Memo
Waiver Form**

Action / Motion for Consideration:

Receive Information / Discuss

Based on Staff Review & Recommendation Approve the Selection of
“DOES NO WAIVE” the Monetary Limits on Municipal Tort Liability as
Established by Minnesota Statutes 466.04 on the Renewal Application
with the LMCIT

**Minutes
Town Board Meeting
September 7, 2016**

CONSENT AGENDA: Ruzek moved approval of the Consent Agenda as follows: 5A) League of Minnesota Cities Liability Coverage - Approve Waiver of Liability Form; Prudhon seconded. Ayes all.

MEMORANDUM

Date: July 17, 2017
To: Town Board
From: Tom Kelly, Finance Officer
Re: LMCIT Liability Coverage – Waiver Form

The Town is currently in the renewal process of its property and liability insurance package with the League of Minnesota Cities Insurance Trust (LMCIT) for 2017 - 2018. As part of this renewal process the Town must decide if it wishes to waive or not waive the statutory tort limits.

If the Town DOES NOT WAIVE the monetary limits on municipal tort liability then an individual claimant could not recover more than \$500,000 and the total which all claimants could recover would be limited to \$1,500,000. These limits would be on only those claims which the statutory tort limits apply.

If the Town WAIVES the monetary limits it would then be subject to up to \$1,500,000 on an individual claimant but the total for all claimants would still be limited to \$1,500,000 regardless of the number of claimant.

The Town currently carries \$1,500,000 in liability coverage from the LMCIT. The Town does not currently purchase excess liability insurance at this time.

Staff recommends Town Board approval to select DOES NOT WAIVE the monetary limits on municipal tort liability as established by Minnesota Statutes 466.04 on the renewal application with the LMCIT.



CONNECTING & INNOVATING
SINCE 1913

LIABILITY COVERAGE – WAIVER FORM

LMCIT members purchasing coverage must complete and return this form to LMCIT before the effective date of the coverage. Please return the completed form to your underwriter or email to pstech@lmc.org

This decision must be made by the member's governing body every year. You may also wish to discuss these issues with your attorney.

League of Minnesota Cities Insurance Trust (LMCIT) members that obtain liability coverage from LMCIT must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased. The decision has the following effects:

- *If the member does not waive the statutory tort limits*, an individual claimant would be able to recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits apply regardless of whether the city purchases the optional excess liability coverage.
- *If the member waives the statutory tort limits and does not purchase excess liability coverage*, a single claimant could potentially recover up to \$2,000,000 for a single occurrence. (Under this option, the tort cap liability limits are waived to the extent of the member's liability coverage limits, and the LMCIT per occurrence limit is \$2 million.) The total all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to \$2,000,000, regardless of the number of claimants.
- *If the member waives the statutory tort limits and purchases excess liability coverage*, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

WHITE BEAR TOWNSHIP
LMCIT Member Name

Check one:

- The member **DOES NOT WAIVE** the monetary limits on municipal tort liability established by Minnesota Statutes, Section 466.04.
- The member **WAIVES** the monetary limits on municipal tort liability established by Minnesota Statutes, Section 466.04 to the extent of the limits of the liability coverage obtained from LMCIT.

Date of city council/governing body meeting 8/7/17

Signature [Handwritten Signature]

Position FINANCE OFFICER



**Town Board Meeting
August 7, 2017**

Agenda Number: 5D – Consent Agenda

Subject: Storm Water Pollution Prevention Program – Call the Informational Public Hearing for Monday, October 2, 2017 @ 7:10 p.m., for the Annual Presentation of the Town’s Storm Water Pollution Prevention Program

Documentation: None

Action / Motion for Consideration:

Receive Information / Discuss

Call the Informational Public Hearing for Monday, October 2, 2017 @ 7:10 p.m., for the Annual Presentation of the Town’s Storm Water Pollution Prevention Program



**Town Board Meeting
August 7, 2017**

Agenda Number: 5E – Consent Agenda

**Subject: VFW On-Sale Liquor License – Approve Township Day
On-Sale License Request**

Documentation: Staff Memo w/attachments

Action / Motion for Consideration:

Receive Information / Discuss

Based on Staff Review & Recommendation Approve Issuance of a
Temporary On-Sale Liquor License to VFW Post 1782 for the Township
Day Event to be held on September 9, 2017 at Polar Lakes Park

**Minutes
Town Board Meeting
August 3, 2016**

CONSENT AGENDA: Ruzek moved approval of the Consent Agenda as follows: 5F) VFW On-Sale
Liquor License – Township Day On-Sale License Request; Prudhon seconded. Ayes all.

MEMORANDUM

TO: TOWN BOARD
FROM: PATTI WALSTAD
DATE: AUGUST 2, 2017

SUBJECT: VFW TEMPORARY LIQUOR LICENSE

VFW Post 1782 will again be participating in the Township Day event being held at Polar Lakes Park on September 9, 2017, and are requesting a license to sell beer at the event.

Section 2-7 of Ordinance No. 32 (Liquor) states as follows:

Temporary "on-sale" licenses may be issued to a club or charitable organization, religious, or non-profit organization in existence for at least three (3) years in connection with social events within the Town, for up to three (3) days in accordance with Minnesota Statutes, Section 340A.404, Subd. 10.

The VFW has submitted the following required documentation:

- Application and Permit for a 1 to 4 Day Temporary On-Sale Liquor License;
- Certificate of Insurance listing White Bear Township as a certificate holder; and
- Payment of the \$250.00 fee.

Action Requested:

Approve issuance of a temporary on-sale liquor license to VFW Post 1782 for the Township Day event to be held on September 9, 2017, at Polar Lakes Park.

PSW/s
cc:admin/add.file
b:vfw-17



Minnesota Department of Public Safety
 Alcohol and Gambling Enforcement Division
 445 Minnesota Street, Suite 222, St. Paul, MN 55101
 651-201-7500 Fax 651-297-5259 TTY 651-282-6555
**APPLICATION AND PERMIT FOR A 1 DAY
 TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE**

Name of organization VFW Post 1782		Date organized 1961	Tax exempt number 410-839-633
Address 4496 W.B.L. Lake Ave S.		City W.B.L.	State MN
		Zip Code 55110	
Name of person making application Mike Mike Rush		Business phone 651-426-4944	Home phone 651-788-5020
Date(s) of event 9-9-2017	Type of organization <input type="checkbox"/> Club <input checked="" type="checkbox"/> Charitable <input type="checkbox"/> Religious <input type="checkbox"/> Other non-profit		
Organization officer's name Mike Rush	City W.B.L.	State MN	Zip Code 55110
Organization officer's name	City	State MN	Zip Code
Organization officer's name	City	State MN	Zip Code
Organization officer's name	City	State MN	Zip Code

Location where permit will be used. If an outdoor area, describe.
 Polar Lake Park
 1271 Hammond Rd. White Bear Township, MN. 55116
 If the applicant will contract for intoxicating liquor service give the name and address of the liquor license providing the service.

VFW Post 1782, 4496 So. Lake Ave., W.B.L. MN 55110
 If the applicant will carry liquor liability insurance please provide the carrier's name and amount of coverage.

Wilson Mutual Ins. 1,000,000.00

APPROVAL
 APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL AND GAMBLING ENFORCEMENT

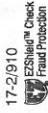
City or County approving the license	Date Approved
Fee Amount	Permit Date
Date Fee Paid	City or County E-mail Address
	City or County Phone Number

Signature City Clerk or County Official _____ Approved Director Alcohol and Gambling Enforcement _____

CLERKS NOTICE: Submit this form to Alcohol and Gambling Enforcement Division 30 days prior to event.

ONE SUBMISSION PER EMAIL, APPLICATION ONLY.
PLEASE PROVIDE A VALID E-MAIL ADDRESS FOR THE CITY/COUNTY AS ALL TEMPORARY PERMIT APPROVALS WILL BE SENT BACK VIA EMAIL. E-MAIL THE APPLICATION SIGNED BY CITY/COUNTY TO AGE.TEMPORARYAPPLICATION@STATE.MN.US

17-2910



5492

VFW Auxiliary 1782-4

4496 Lake Avenue S.

White Bear Lake, MN 55110-3452

8-2-2017

PAY TO THE ORDER OF White Bear Township

\$ 275.00

Two hundred seventy-five + 00/100 DOLLARS



Security Features
See Back

USBANK

FIVE STAR SERVICE GUARANTEED

USBANK.COM

FOR Township liquor license #250
with fee

Carol Kratz

Jean Mungle MP

⑆091000022⑆ 10478143346⑈5492

EXECUTIVE GRAY

\$ 250.00

License No. 2017-10



State of Minnesota

County of Ramsey

1 - 4 Day Temporary "On - Sale" Liquor License

PURSUANT TO APPLICATION MADE THEREFORE, payment of a fee as established by the Town Board of the Town of White Bear and as amended from time to time, approval by resolution adopted by the Town Board at a meeting thereof, and upon investigation and satisfactory evidence of the qualification of the licensee(s) herein named to receive the same and that the place of sale hereinafter described is a proper and legal place therefore,

LICENSE IS HEREBY GRANTED TO

**VFW Post 1782
4496 S. Lake Avenue**

for **September 9, 2017**, TO SELL INTOXICATING LIQUORS as defined by law AT RETAIL ONLY FOR CONSUMPTION AT THE TOWNSHIP DAY EVENT located at Polar Lakes Park, 1283 Hammond Road and IN THE MUNICIPALITY OF White Bear Township, Ramsey County, Minnesota; subject, however, to the laws of the United States, the laws of the State of Minnesota, the regulations and ordinances of the Town of White Bear, and the rules and regulations of the LIQUOR CONTROL COMMISSIONER, relating to the sale and distribution of intoxicating liquors, hereby made part hereof, and subject to revocation according to law for violation thereof.

This license is non-transferable except by authority of the Town Board of the Town of White Bear, Ramsey County, Minnesota.

WITNESS THE GOVERNING BODY OF THE TOWN OF WHITE BEAR and the official seal thereof on this 7th day of **August, 2017**.

ATTEST: *WILLIAM F. SMORL, Town Clerk-Treasurer*

SIGNATURE:



**Town Board Meeting
August 7, 2017**

Agenda Number: 5F – Consent Agenda

Subject: Tally's Blues Fest On-Sale Liquor License – Approve
Blues Fest On-Sale License Request

Documentation: Staff Memo w/attachments

Action / Motion for Consideration:

Receive Information / Discuss

Based on Staff Review & Recommendation Approve Issuance of a
Temporary On-Sale Liquor License to Tally's Dockside for the 2017 Blues
Fest to be held on September 10, 2017 at Polar Lakes Park

MEMORANDUM

TO: TOWN BOARD
FROM: PATTI WALSTAD
DATE: AUGUST 1, 2017

SUBJECT: TALLY'S TEMPORARY LIQUOR LICENSE

Tally's is sponsoring the 2017 Blues Fest which will be held at Polar Lakes Park on September 10, 2017, and they are requesting a license to sell beer at the event.

Section 2-7 of Ordinance No. 32 (Liquor) states as follows:

Temporary "on-sale" licenses may be issued to a club or charitable organization, religious, or non-profit organization in existence for at least three (3) years in connection with social events within the Town, for up to three (3) days in accordance with Minnesota Statutes, Section 340A.404, Subd. 10.

Tally's has submitted the following required documentation:

- Application and Permit for a 1 to 4 Day Temporary On-Sale Liquor License;
- Certificate of Insurance listing White Bear Township as a certificate holder; and
- Payment of the \$250.00 fee.

Action Requested:

Approve issuance of a temporary on-sale liquor license to Tally's Dockside for the 2017 Blues Fest to be held on September 10, 2017, at Polar Lakes Park.

PSW/s
cc:admin/add.file
b:bluesfest-17



Minnesota Department of Public Safety
 Alcohol and Gambling Enforcement Division
 445 Minnesota Street, Suite 222, St. Paul, MN 55101
 651-201-7500 Fax 651-297-5259 TTY 651-282-6555
**APPLICATION AND PERMIT FOR A 1 DAY
 TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE**

Name of organization: Dockside Water Ski Company DBA Tolly's Dockside Date organized: Tax exempt number:

Address: 4441 Lake Ave So, City: White Bear Lake State: MN Zip Code: 55710

Name of person making application: Keith Dehnert President Business phone: 617-868-3563 Home phone:

Date(s) of event: September 10, 2017 Type of organization: Club Charitable Religious Other non-profit

Organization officer's name: Keith Dehnert, President City: White Bear Lake State: MN Zip Code:

Organization officer's name: Jan Dehnert V. President City: White Bear Lake State: MN Zip Code:

Organization officer's name: City: State: MN Zip Code:

Organization officer's name: City: State: MN Zip Code:

Location where permit will be used. If an outdoor area, describe.
Polar Lakes Park
1270 Hammond Rd
White Bear Township, MN 55710

If the applicant will contract for intoxicating liquor service give the name and address of the liquor license providing the service.
Tolly's Dockside
4441 Lake Ave S
White Bear Lake, MN 55710

If the applicant will carry liquor liability insurance please provide the carrier's name and amount of coverage.
Founders Insurance Company 1,000,000 - each occurrence

APPROVAL

APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL AND GAMBLING ENFORCEMENT

_____ City or County approving the license	_____ Date Approved
_____ Fee Amount	_____ Permit Date
_____ Date Fee Paid	_____ City or County E-mail Address
	_____ City or County Phone Number

Signature City Clerk or County Official: _____ Approved Director Alcohol and Gambling Enforcement: _____

CLERKS NOTICE: Submit this form to Alcohol and Gambling Enforcement Division 30 days prior to event.

ONE SUBMISSION PER EMAIL, APPLICATION ONLY.
PLEASE PROVIDE A VALID E-MAIL ADDRESS FOR THE CITY/COUNTY AS ALL TEMPORARY PERMIT APPROVALS WILL BE SENT BACK VIA EMAIL. E-MAIL THE APPLICATION SIGNED BY CITY/COUNTY TO AGE.TEMPORARYAPPLICATION@STATE.MN.US



CERTIFICATION OF COMPLIANCE MINNESOTA WORKER'S COMPENSATION LAW

Minnesota Statutes, Section 176.182 requires every state or local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in an activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minnesota Statutes, Section 176.181, Subd. 2, by providing the name of the insurance company, the policy number, and dates of coverage, or a permit to self-insure. **This information will be collected by the licensing agency and retained in their files.**

This information is required by law, and licenses and permits to operate a business will not be issued or renewed if it is not provided and is falsely stated and shall result in a \$2,000 penalty assessed against the employer by the Commissioner of the Department of Labor and Industry for failure to comply.

Insurance Company Name: SFM - Safe Insurance Company
(NOT the insurance agent)

Policy #: 074855201

Dates of Coverage: 5/15/17 to 5/15/18

I am not required to have Workers' Compensation liability coverage because:

- I have no employees
- I am self insured (include permit to self-insure)
- I have no employees who are covered by the Workers' Compensation law
(These include spouse, parents, children and certain farm employees)

I certify that the information provided above is accurate and complete and that a valid Workers' Compensation policy will be kept in effect at all times as required by law.

Name: Dehner Keith
(Last) (First) (Middle)

Doing Business As: Tally's Ducksiders 651-429-2633
(Business name if different than your name) Phone

Business Address: 4441 Lake Ave S

White Bear Lake, MN 55110

Signature: [Signature] Date: 7/20/17

FOUNDERS INSURANCE COMPANYSM

A Multiple Line Stock Company

1111 East Touhy Avenue, Suite 300, Des Plaines, IL 60018

(800) 972-8778 / Fax (847) 795-0080

WWW.FOUNDERSINSURANCE.COM

Following Policy Set For:

WHITE BEAR TOWNSHIP
1281 HAMMOND ROAD
WHITE BEAR TOWNSHIP MN 55110

Reason for Policy Set Copy:

Additional Insured

**Policy Set
Mailer Sheet**

LLMN002631

FOUNDERS INSURANCE COMPANYSM

A MULTIPLE LINE STOCK COMPANY
 1111 EAST TOUHY AVENUE, SUITE 300, DES PLAINES, IL 60018
 (800) 972-8778 / Fax (847) 795-0080

Liquor Liability
 Amended Declaration

ADD ADDITIONAL INSURED

AGENCY ACCT

EFFECTIVE 09/10/17

POLICY NUMBER	FROM	POLICY PERIOD	TO		
LLMN002631	04/01/17	04/01/18	12:01 AM STANDARD TIME	5100	

NAMED INSURED AND ADDRESS	PRODUCER
DOCKSIDE WATER SKI CO DBA: TALLY'S DOCKSIDE 4441 LAKE AVE SOUTH WHITE BEAR LAKE MN 55110	RISK PLACEMENT SERVICES 6625 W. 78TH ST., SUITE 210 BLOOMINGTON MN 55439 (952) 938-0655

THE NAMED INSURED IS DOCKSIDE WATER SKI CO

COVERAGES

THIS POLICY CONSISTS OF THE FOLLOWING COVERAGE PARTS/POLICIES FOR WHICH A PREMIUM IS INDICATED. THIS PREMIUM MAY BE SUBJECT TO ADJUSTMENT.

COVERAGE PART/POLICY ATTACHED	PREMIUM
COMMERCIAL LIQUOR LIABILITY COVERAGE	\$4,543.00
TOTAL ADVANCE PREMIUM	\$4,543.00 =====

THE CHANGE IN THIS POLICY HAS RESULTED IN AN
 ADDITIONAL PREMIUM OF \$56.00

ADDITIONAL INSURED(S)

AI#	INTEREST	NAME AND ADDRESS
1	ADDITIONAL INSURED	WHITE BEAR TOWNSHIP 1281 HAMMOND ROAD WHITE BEAR TOWNSHIP MN 55110

CERTIFICATE HOLDER(S)

CH#	NAME AND ADDRESS
2	CITY OF WHITE BEAR LAKE 4701 HWY 61 WHITE BEAR LAKE MN 55110
3	ALCOHOL AND GAMBLING ENFORCEMENT DIVISION 445 MINNESOTA ST (SKYWAY LEV) ST. PAUL MN 55101-5155

IN RETURN FOR THE PAYMENT OF THE PREMIUM, AND SUBJECT TO ALL THE TERMS OF THE COVERAGE PARTS/POLICIES ATTACHED, WE AGREE WITH YOU TO PROVIDE THE INSURANCE DESCRIBED THEREIN.

FOUNDERS INSURANCE COMPANYSM

A MULTIPLE LINE STOCK COMPANY
 1111 EAST TOUHY AVENUE, SUITE 300, DES PLAINES, IL 60018
 (800) 972-8778 / Fax (847) 795-0080

Liquor Liability
 Amended Declaration

ADD ADDITIONAL INSURED

AGENCY ACCT

EFFECTIVE 09/10/17

POLICY NUMBER	FROM	POLICY PERIOD	TO		
LLMN002631	04/01/17	04/01/18	12:01 AM STANDARD TIME	5100	

NAMED INSURED AND ADDRESS	PRODUCER
DOCKSIDE WATER SKI CO DBA: TALLY'S DOCKSIDE 4441 LAKE AVE SOUTH WHITE BEAR LAKE MN 55110	RISK PLACEMENT SERVICES 6625 W. 78TH ST., SUITE 210 BLOOMINGTON MN 55439 (952) 938-0655

LOCATION ADDRESS (ES)

LOCATION 01
 4441 LAKE AVE SOUTH
 WHITE BEAR LAKE MN 55110

COVERAGES

DESCRIPTION: Restaurants

LOC	ITEM	TERR	CLASS	BASIS	TYPE	DED AMT	EXPOSURE	PREMIUM
1	1	001	4446				181350	\$3,663

DESCRIPTION: Caterers

LOC	ITEM	TERR	CLASS	BASIS	TYPE	DED AMT	EXPOSURE	PREMIUM
1	2	001	4448				20000	\$780

COVERAGE	PER PERSON	OCCURRENCE	AGGREGATE
Combined Single Limit		1,000,000	1,000,000

ADDITIONAL FORMS AND ENDORSEMENTS APPLICABLE TO THIS COVERAGE PART ONLY

NUMBER	DATE	LOC	ITEM	LIMIT	PREMIUM
CG 21 73	01-15	1	1		
CG 21 87	01-15	1	1		
*MN 20 26	07-04	1	1		\$100.00
MN-CSL	12-07	1	1		
MN-LL02	12-07	1	1		
CG 21 73	01-15	1	2		
CG 21 87	01-15	1	2		
MN-CSL	12-07	1	2		
MN-LL02	12-07	1	2		

TOTAL ADVANCE PREMIUM \$4,543.00
 =====

Special Interest

18512

75-509/960

TALLY'S DOCKSIDE
4441 LAKE AVENUE SOUTH
WHITE BEAR LAKE, MN 55110
651-429-2633



PAY TO THE ORDER OF

White Bear Township
two hundred fifty 00/100

DATE \$/1/17

\$250.00

DOLLARS



Security Features
Double Back

PB
Premier Bank
2151 THIRD STREET, 651426-7600
WHITE BEAR LAKE, MINNESOTA 55110

[Handwritten Signature]

FOR

⑈018512⑈ ⑈096005093⑈ 006002103⑈

MP

\$ 250.00

License No. 2017-9



State of Minnesota

County of Ramsey

1 - 4 Day Temporary "On - Sale" Liquor License

PURSUANT TO APPLICATION MADE THEREFORE, payment of a fee as established by the Town Board of the Town of White Bear and as amended from time to time, approval by resolution adopted by the Town Board at a meeting thereof, and upon investigation and satisfactory evidence of the qualification of the licensee(s) herein named to receive the same and that the place of sale hereinafter described is a proper and legal place therefore,

LICENSE IS HEREBY GRANTED TO

**Tally's Dockside
4441 S. Lake Avenue**

for **September 10, 2017**, TO SELL INTOXICATING LIQUORS as defined by law AT RETAIL ONLY FOR CONSUMPTION AT THE 2017 Blues Fest located at Polar Lakes Park, 1283 Hammond Road and IN THE MUNICIPALITY OF White Bear Township, Ramsey County, Minnesota; subject, however, to the laws of the United States, the laws of the State of Minnesota, the regulations and ordinances of the Town of White Bear, and the rules and regulations of the LIQUOR CONTROL COMMISSIONER, relating to the sale and distribution of intoxicating liquors, hereby made part hereof, and subject to revocation according to law for violation thereof.

This license is non-transferable except by authority of the Town Board of the Town of White Bear, Ramsey County, Minnesota.

WITNESS THE GOVERNING BODY OF THE TOWN OF WHITE BEAR and the official seal thereof on this 7th day of **August, 2017**.

ATTEST: *WILLIAM F. SHORR, Town Clerk-Treasurer*

SIGNATURE:



**Town Board Meeting
August 7, 2017**

Agenda Number: 5G – Consent Agenda

Subject: Advisory Speed Sign Request – Receive Birch Lake Townhome Advisory Speed Sign Request & Refer to the Public Works Director & Town Traffic Engineer for Review & Recommendation

Documentation: E-Mail

Action / Motion for Consideration:

Receive Information / Discuss

Receive Birch Lake Townhome Advisory Speed Sign Request & Refer to the Public Works Director & Town Traffic Engineer for Review & Recommendation

Patti Walstad

From: Bill Short
Sent: Monday, July 24, 2017 1:59 PM
To: Tom Riedesel; Patti Walstad
Subject: RE: Request for Speed Limit Sign on White Bear Parkway 20 mph

We can have the Town Board receive the request and refer it to public works and either Town Engineer (Jim) or Town Traffic Engineer (Tom Sohrweide)

From: Tom Riedesel
Sent: Monday, July 24, 2017 10:17 AM
To: Patti Walstad <Patti.Walstad@whitebeartownship.org>; Bill Short <Bill.Short@whitebeartownship.org>
Subject: FW: Request for Speed Limit Sign on White Bear Parkway 20 mph

How would you like to process this?

From: Mary Felix [<mailto:mfelix@cedarmanagement.com>]
Sent: Monday, July 24, 2017 10:16 AM
To: Tom Riedesel <Tom.Riedesel@whitebeartownship.org>
Cc: Mary Felix <mfelix@cedarmanagement.com>
Subject: Request for Speed Limit Sign on White Bear Parkway 20 mph

Dear Mr. Riedesel;

The residents at Birch Lake Ponds Townhomes have asked me to request, on their behalf, that the Town Board consider the authorization of the installation of an advisory speed sign at the curve at the south end of White Bear Parkway, as it passes the entrance to Birch Lake Ponds Townhome development. This sign would advise the northbound traffic, south of our access to slow to 20 mph.

Thank you for your consideration of this request and please let me know, if possible, if it has been approved or not.

Best Regards, on behalf of Birch Lake Ponds Townhomes, Mary Felix

Mary Felix, CMCA, AMS, PCAM, CIRMS
Community Association Manager
Insurance Specialist
Direct 763-231-9825 Fax 763-571-2050
mfelix@cedarmanagement.com



Cedar Management, Inc., 7260 University Ave, NE, Ste 200, Fridley, MN 55432
Accredited Association Management Company (AAMC)

If you need a resale disclosure, PUD questionnaire, appraisal questionnaire, or a demand (dues current) letter, please go to www.condocerts.com



Town Board Meeting August 7, 2017

Agenda Number: 5H – Consent Agenda

Subject: 2017 Bow Hunting Request – Approve 2017 Deer Hunting Request for Joe Mailer & Harry Kavaloski on Township Property South of Benson Airport

Documentation: Deer Hunt Permission Forms
Proposed Licenses

Action / Motion for Consideration:

Receive Information / Discuss

Based on Staff Review & Recommendation Approve the 2017 Deer Hunting Request for Joe Mailer & Harry Kavaloski on Township Property South of Benson Airport Noting that the Terms & Conditions are the Same as in Previous Years

Minutes
Town Board Meeting
August 3, 2016

2016 BOW HUNTING REQUESTS – APPROVE 2016 DEER HUNTING REQUEST FOR HARRY KAVALOSKI & JOE MAILER ON TOWNSHIP PROPERTY SOUTH OF BENSON AIRPORT:

The Planner reported that Harry Kavaloski and Joe Mailer have been approved in the past to bow hunt on Town owned property south of Benson Airport. He noted that discharge of a firearm in the Township is not permitted except by special exemption approved by the Town Board. One of those exemptions is bow hunting of deer. Some of the larger acreage of the Township has been opened for bow hunting, with special approval by the Town. He reported that bow hunting season starts September 17, 2016 and goes to the end of the year. Applications have been received from Harry Kavaloski and Joe Mailer to hunt the property south of the Benson Airport. This is a large wetland area and is open space. Historically there has been excessive deer population in the Township and the Town works with the County on deer inventory which is done each year. The latest results of the deer inventory done in January, 2016 shows few in the Township. There was one deer in the Benson Airport area; three in the Bald Eagle/Otter Lake area; five in the area of Heritage Hall; and many deer in the Gem Lake area. Ramsey County has 1199 acres in the Town and has a deer hunting program. They have had hunts in the Tamarack Nature Center and the Poplar Lake area. Due to the inventory numbers Ramsey County is only going to hunt the Poplar Lake area this year. They have also offered to again work with

the Town to provide hunters on the property south of the Benson Airport. They are prepared to schedule four hunters on three 3-day weekends in October. Harry Kavaloski and Joe Mailer would like to hunt on either side of the Ramsey County hunt dates and throughout the season. This is a hunt area defined by the DNR and there is no limit of the number of antlerless deer which may be taken because of the deer population. A resident on Fenway Court notified the Town in 2015 of her objection to the Town Board authorizing any deer hunting on Town owned property south of Benson Airport. She said that there appears to be fewer deer in the area now than there has been at any time during the past 20 years. She requests that the Town Board stop issuing permits for that area until the herd grow more. Ruzek noted that the objection from the resident on Fenway Court was made last October before the deer inventory was done. He asked if she has objected prior to that. The Planner stated that there are no objections noted.

Harry Kavaloski, 2500 Meehan Drive, asked if the inventory only showed one deer in the property south of the Benson Airport why Ramsey County would want to place four hunters there. He reported that Meehan Drive is on the south end of the Benson Airport property and there are not as many deer as there used to be but there is definitely more than one deer there. He stated that he sees deer and his neighbors see deer. He stated that he and Joe Mailer have appreciated the opportunity to hunt in past years. He reported that he and Joe hunt evenings during the week and they try to get out there mornings on the weekends. He reported that he provides information to the Planner regarding how many deer they take. He stated that last year they took two deer. In response to a question if they ever see deer on the airport Harry Kavaloski reported that they have seen deer on the runway causing planes to abort their landing. Harry Kavaloski reported that they are aware when the Metro Bow Hunters are there. The Metro Bow Hunters drive in park and hunt the corner of the property by Deer Meadow Park. He and Joe Mailer do not hunt that corner because it is pretty much residential. He reported that they register their deer with the Planner and the DNR as well. Kermes suggested that the Town consider not asking Ramsey County to schedule a hunt south of Benson Airport this year. The Planner stated that could be done.

Prudhon moved to approve the 2016 deer hunting request for Harry Kavaloski and Joe Mailer on Township property south of Benson Airport, noting that the terms and conditions are the same as previous years. Ruzek seconded. Ayes all.



DEER HUNT PERMISSION FORM

It is Township policy to allow deer hunting in areas where extreme numbers of deer cause damage to property and endanger the public health and safety. The following are requirements to hunt in White Bear Township:

1. Hunters must have written permission from the landowner where they intend to hunt.
2. Hunters must obey all State and Federal laws.
3. Hunting with bow and arrow only.
4. All hunters must show proof of completing the MN Bow Hunter Education Program.
5. Hunters must receive written permission from the Town Board.
6. Hunters must contact the Ramsey County Sheriff's Department with the date, time and place where they intend to hunt. Phone - 651-767-0640.
7. Hunters must register any deer killed with the Township. (See attached form)

The following information must be provided:

1. Name Joe Mailer
Address 3967 Lakewood Ave
White Bear Township MN 55110
Phone Home 651-762-8434 Cell 612-269-5620
2. Property owners name and address Town Property south of Benson airport
Property Owners Signature (required) _____
3. Date when you intend to hunt September 16 - December 31 2017
4. Date when the application will be reviewed by the Town Board _____



Joe Mailer has been approved by the Town Board of White Bear Township to bow hunt for deer on property owned by White Bear Township described as follows:

Section 1, Township 30, Range 22, East of Highway 61, South of Benson Airport, and North and East of the Lake Country Preserve Development.

This Permit to hunt is valid only during the following timeframe:

September 16, 2017 through December 31, 2017

Only the person named on this Permit is permitted to hunt on this property. The Permit is non-transferrable.

Dated: August 7, 2017.

BY ORDER OF THE TOWN BOARD OF SUPERVISORS

WILLIAM F. SHORT, Clerk-Treasurer



RECEIVED

AUG 02 2017

DEER HUNT PERMISSION FORM TOWN OF WHITE BEAR

It is Township policy to allow deer hunting in areas where extreme numbers of deer cause damage to property and endanger the public health and safety. The following are requirements to hunt in White Bear Township:

1. Hunters must have written permission from the landowner where they intend to hunt.
2. Hunters must obey all State and Federal laws.
3. Hunting with bow and arrow only.
4. All hunters must show proof of completing the MN Bow Hunter Education Program.
5. Hunters must receive written permission from the Town Board.
6. Hunters must contact the Ramsey County Sheriff's Department with the date, time and place where they intend to hunt. Phone - 651-767-0640.
7. Hunters must register any deer killed with the Township. (See attached form)

The following information must be provided:

1. Name HARRY J. KAWALOSKI
 Address 4699 EUROPA TR. N.
 Phone Home _____ Cell 612-720-2646
2. Property owners name and address BENSON AIRPORT

 Property Owners Signature (required) _____

3. Date when you intend to hunt SEPT. 16 - DEC. 31 / 2017
4. Date when the application will be reviewed by the Town Board



Harry Kavaloski has been approved by the Town Board of White Bear Township to bow hunt for deer on property owned by White Bear Township described as follows:

Section 1, Township 30, Range 22, East of Highway 61, South of Benson Airport, and North and East of the Lake Country Preserve Development.

This Permit to hunt is valid only during the following timeframe:

September 16, 2017 through December 31, 2017

Only the person named on this Permit is permitted to hunt on this property. The Permit is non-transferrable.

Dated: August 7, 2017.

BY ORDER OF THE TOWN BOARD OF SUPERVISORS

WILLIAM F. SHORT, Clerk-Treasurer



Town Board Meeting August 7, 2017

Agenda Number: 5I – Consent Agenda

Subject: Ramsey County 2017 Archery Deer Hunt Request –
Approve Archery Deer Hunts at the Tamarack Nature Center
& Poplar Lake

Documentation: Town Planner Memo
Ramsey County Correspondence w/ attachments

Action / Motion for Consideration:

Receive Information / Discuss

Based on Staff Review & Recommendation Approve Ramsey County Parks & Recreation Department Request to Hold Two 3-day Special Deer Bow Hunts Each at the Tamarack Nature Center & Poplar Lake County Park

Minutes
Town Board Meeting
September 7, 2016

RAMSEY COUNTY PARKS AND RECREATION BOW HUNT REQUEST – RAMSEY COUNTY PARKS AND RECREATION REQUEST TO BOW HUNT AT THE BENSON AIRPORT AREA AND POPLAR LAKE COUNTY PARK IN THE TOWNSHIP: The Planner reported that Ramsey County Parks and Recreation Department requests a permit to hold special hunts at the Benson Airport Area and Poplar Lake County Park within White Bear Township. There will be two 3-day hunts at each site. The Poplar Lake County Park hunts are scheduled for October 7-9 and October 28-30 with a maximum of 16 hunters; Benson Airport area is scheduled for October 7-9 and October 28-30 with four hunters. Ramsey County uses bow hunters from the Bow Hunters Resource Base. In response to a question, the Planner stated that the individual hunters which the Town Board approved for hunting the Benson Airport area will only hunt outside the time that Ramsey County schedules hunts. He noted that the individual hunters are permitted to hunt to the end of the season, while Ramsey County will only schedules hunters during the two 3-day weeks requested.

Prudhon moved to approve Ramsey County Parks and Recreations Department request to hold two 3-day special deer bow hunts at the Benson Airport area and Poplar Lake County Park within the

Township as follows: Benson Airport Area: October 7-9 and October 28-30; Poplar Lake County Park: October 7-9 and October 28-30. Ruzek seconded. Ayes all.

MEMORANDUM

TO: TOWN BOARD
FROM: TOM RIEDESEL
DATE: JULY 24, 2017

SUBJECT: ANNUAL RAMSEY COUNTY DEER HUNT

Ramsey County has submitted a letter requesting special hunts on County owned property during the regular bow hunting season.

Ramsey County has historically worked with the MBRB (Minnesota Bow hunters Resource Base) to help control the deer population on County owned property. The County has held hunts on all of the larger properties within the Town as well as throughout the County.

Special hunts have been held at their Poplar Lake Park property for several years. They are proposing to hunt this property again in 2017.

A special hunt is also planned at the Tamarack Nature Center property in 2017. A special hunt was not held at the Nature Center in 2016.

Additional properties within the Bald Eagle Otter Lakes Regional Parks which have previously had hunts including the Otter Hills and Bald Eagle Lake segments, are not proposed to have special hunts in 2017.

Ramsey County also coordinated MBRB special hunts on the Town owned property south of Benson's Airport, at the request of the Town, in the past. No hunt is planned by MBRB at this site in 2017, at the request of the Town.

The special hunts are proposed to be held on October 23-25 and November 13-15 at Tamarack Nature Center, and October 6-8 and October 27-29 at Poplar Lake Park.

The Town Board must approve the requests by Ramsey County to hold the special deer hunts within the Town's border.

TR/psw
cc:admin/add.file
b:hunt2017



June 28, 2017

William Short, Administrator
White Bear Township
1281 Hammond Rd.
White Bear Township, MN 55110

Dear Bill:

Ramsey County Parks and Recreation Department requests a permit to hold special hunts at Tamarack Nature Center and Poplar Lake County Park within White Bear Township, MN. There will be two 3-day hunts at each site and the hunt dates are highlighted in the attachment below. We will be using the Metro Bowhunters Resource Base to provide the archers for the hunts. The hunts will be conducted the same as in previous years.

The hunts are being planned to reduce the deer herds in the parks to levels recommended by the Minnesota Department of Natural Resources as outlined in the Ramsey County Parks Deer Management Plan Implementation Program.

Please contact me at (651) 748-2500 if you have any questions.

Sincerely,



Michael Goodnature
Natural Resources Manager

Attachments

2017 Deer hunt dates
2016 Deer hunt summary

Ramsey County Cooperative Deer Management Implementation Program for 2017

Site	Cities	Max # hunters	Hunt Dates	Orientation
Monday-Wednesday				
Battle Creek	Maplewood, St. Paul	26	Oct 9-11, Nov 6-8	Sept 27
Vadnais Lake	Vadnais Heights	20	Oct 23-25, Nov 13-15	Oct 4
Rice Creek Trail	Shoreview	7	Oct 23-25, Nov 13-15	Oct 4
Tamarack NC	White Bear Township	10	Oct 23-25, Nov 13-15	Oct 4
Friday - Sunday				
Poplar Lake	WBT, Shoreview	16	Oct 6-8, Oct 27-29	Sept 27
Snail Lake Marsh	Shoreview	3	Oct 20-22, Nov 10-12	Sept 27
Fish Creek	Maplewood, St. Paul	12	Oct 20-22, Nov 10-12	Sept 27
Pig's Eye	St. Paul	24	Oct 20-22, Nov 10-12	Oct 4
Turtle Creek	Shoreview	10	Dec 1 -3, Dec 15-17	Oct 4
Non-Ramsey County Park Hunts				
MN DNR	St. Paul	4	Oct 9-11, Nov 6-8	Sept 27
Highland (sharp shooters)	St. Paul	4	Oct 9-11, Nov 6-8	Sept 27

Ramsey County Parks and Recreation Department 2016 Special Archery Deer Hunt Summary

Ramsey County Parks and Recreation Department's 17th annual special permit archery hunt, in conjunction with St. Paul, Maplewood, Little Canada, Vadnais Heights, Shoreview, and White Bear Township, was a safe and successful season. There were multiple 3 day hunts in October and November, within 8 Ramsey County sites. Ramsey County assisted with the hunt coordination on four non-Ramsey County sites, including the Priory Neighborhood Preserve in Maplewood, Crosby Farms Regional Park and Highland Park in St. Paul, a portion of White Bear Townships Benson Airport property and land north of Little Pig's Eye Lake owned by the MN DNR and City of St. Paul.

A total of 79 deer was harvested (a decrease of 17 deer harvested in 2015) and included: 33 adult doe, 13 fawn doe, 23 adult bucks, and 10 fawn bucks (see attached table). The antlerless harvest rate was 70% in 2016, which is a 1% increase from 2015. The overall success rate for the special archery hunts was 54% in Ramsey County; state average for archery is 25%. The weather this year was variable and impacted the hunt season. The initial hunts were really warm and this warm trend continued through the season. Overall, hunters had good weather during most hunt periods.

Minnesota Bowhunters Resource Base (MBRB) provided 146 archers, including hunt coordinators, at each site for the 2016 season on Ramsey County sites. No safety problems were reported during any of the hunts. Some park users continued to use the park trails during the hunts, even with "park closed" signage. This is an annual occurrence and archers have adapted to the potential of having park patrons in the hunt areas.

**Ramsey County Parks and Recreation Department
2016 Special Archery Deer Harvest Summary**

<i>Ramsey County Sites</i>	Adult Doe	Fawn Doe	Adult Buck	Fawn Buck	Site Total
Battle Creek	2	2	4	1	9
Vadnais Lake	7	3	6	0	16
Rice Creek	2	1	0	1	4
Poplar Lake	5	0	1	3	9
Fish Creek	2	0	3	1	6
Snail Lake Marsh	0	0	2	0	2
Pig's Eye	6	3	3	1	13
Turtle Creek	0	1	1	0	2
<u>TOTALS</u>	<u>24</u>	<u>10</u>	<u>20</u>	<u>7</u>	<u>61</u>

<i>Non-Ramsey County Park Hunts</i>					
Priory	1	1	2	0	4
Crosby	6	0	0	0	6
Benson Airport	0	2	0	3	5
MN DNR	2	0	1	0	3
<u>TOTALS</u>	<u>9</u>	<u>3</u>	<u>3</u>	<u>3</u>	<u>18</u>

TOTAL 79

Patti Walstad

From: Bill Short
Sent: Wednesday, June 28, 2017 1:30 PM
To: Patti Walstad
Cc: Tom Riedesel
Subject: FW: 2017 request for archery hunts in WBT
Attachments: 2017 WBT request.pdf

Future Exec. Meeting?

From: Goodnature, Mike [mailto:mike.goodnature@CO.RAMSEY.MN.US]
Sent: Wednesday, June 28, 2017 12:02 PM
To: Bill Short <Bill.Short@whitebeartownship.org>; Tom Riedesel <Tom.Riedesel@whitebeartownship.org>
Subject: 2017 request for archery hunts in WBT

Hey Bill and Tom,
Attached is a request to hold the Ramsey County coordinated archery hunts within WBT. Please let me know when it is approved. Feel free to contact me if you have any questions. As requested we will not hunt the Benson airport
Thank you,

Michael Goodnature | Natural Resources Manager
Ramsey County
Parks and Recreation Department
2015 Van Dyke Street
Maplewood, MN 55109-3796
651-748-2500 x 347
www.co.ramsey.mn.us



**Town Board Meeting
August 7, 2017**

Agenda Number: **5J – Consent Agenda**

Subject: **Right-of-Way Permit** – Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve CenturyLink Permit to Install a New Cabinet at the Southeast Corner of Bellaire Avenue & Martin Way Which Will Connect the Existing System to the New Cabinet

Documentation: Town Engineer Correspondence & Map

Action / Motion for Consideration:

Receive Information / Discuss

Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve CenturyLink Permit to Install a New Cabinet at the Southeast Corner of Bellaire Avenue & Martin Way Which Will Connect the Existing System to the New Cabinet



444 Cedar Street, Suite 1500
Saint Paul, MN 55101
651.292.4400
tkda.com

August 2, 2017

Honorable Chairman and Town Board
White Bear Township, Minnesota

Re: CenturyLink Permit Application
Bellaire Avenue and Martin Way Intersection
White Bear Township, Minnesota
TKDA Project No. 16327.000

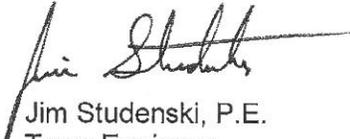
Dear Board Members:

CenturyLink has applied for a permit to install a new cabinet at the southeast corner of Bellaire Avenue and Martin Way intersection. New cables will connect the existing system to the new cabinet. The proposed improvement will be performed through minimal open trenching.

We recommend approval with the following conditions:

1. Contractor must protect the hydrant during construction.
2. Disturbed areas shall be restored equal to or better than original condition.
3. If the relocation of these utilities becomes necessary in the future due to a public improvement, the utilities shall be relocated at no cost to the Township.
4. Call Gopher One-Call prior to any work.

Sincerely,



Jim Studenski, P.E.
Town Engineer

Attachments

Date 7/18/2017
J.O. # N.265979

White Bear Township Engineer

TKDA
1500 Piper Jaffrey
444 Cedar Street
St. Paul, Minnesota 55101

Application is hereby made for permission to place, construct, and thereafter maintain a telephone utility for CenturyLink

as detailed on the attached sketch.

Work to be started 7/31/2017 and completed 11/1/2017

Application Approved:

Application Submitted by:

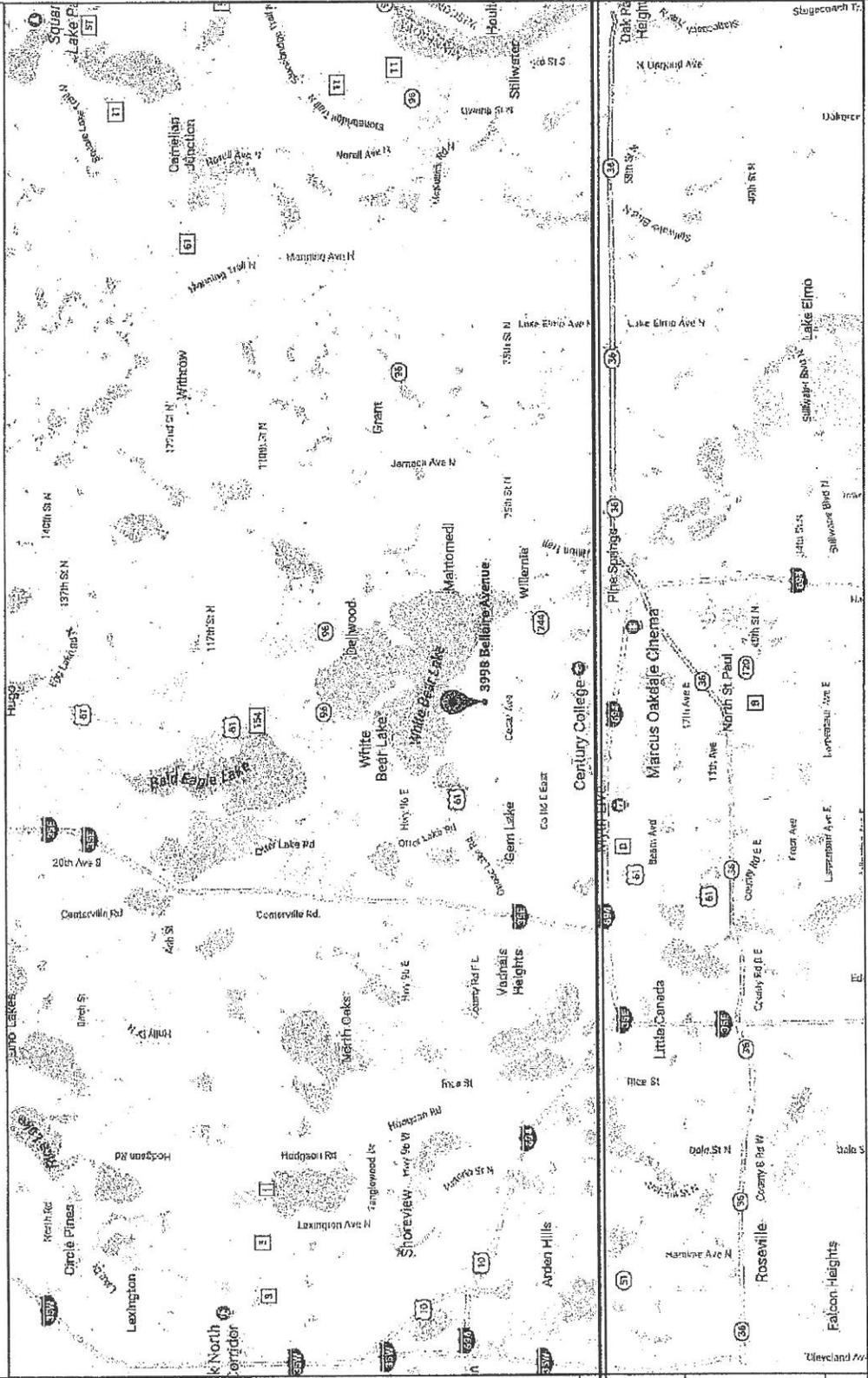
Branden Heidelberg 07-20-17

Branden Heidelberg - Engineer I

Date _____

Telephone: 651-312-7184

VICINITY MAP



**3998 BELLAIRE
AVE**
RAMSEY COUNTY
CITY PERMIT
WHITE BEAR TWP, MN
55110

Job Description:
 This job will place one new
 COOLED III, 10' of induct
 and fiber cable, 15' of
 schedule 40-2" power conduit,
 and 5' of 4" conduit and
 4-100 pr copper cables.

PROJECT: N.265979
CENTURYLINK

ENGINEER:
 Brian Hiedelberger
PHONE:
 651.312.7184
EMAIL:
 Brian.Hiedelberger@centurylink.com

POWER ENGINEERS
DIAGN BY:
 Claire Kofelner-Stier
EMAIL:
 Claire.Kofelner-Stier@centurylink.com

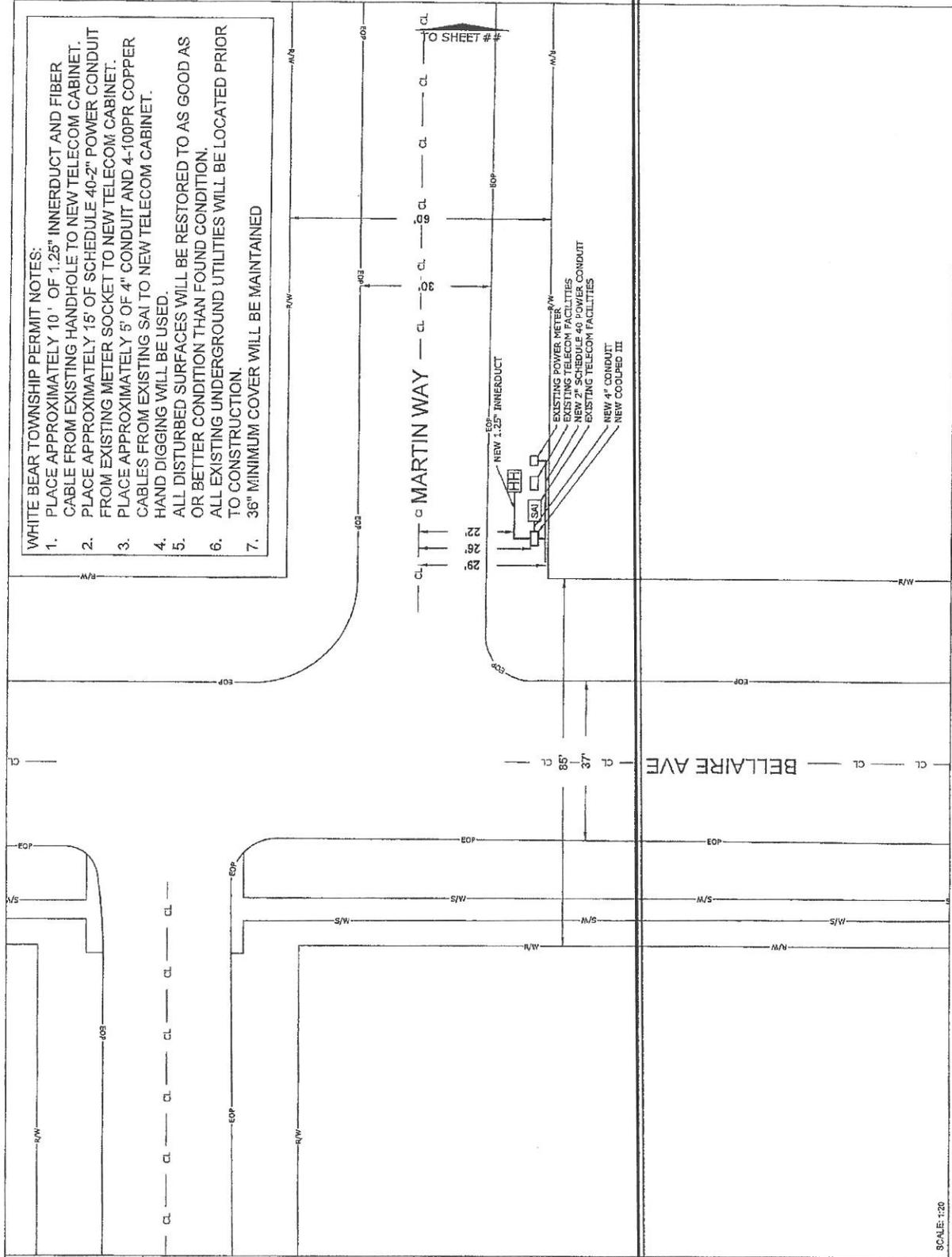
FIELD ENGINEER:
 Nick Bueaguiaran

SHEET: 01
REV: 01
DATE: 7/19/2017
OF: 02



SCALE: N.T.S.

- WHITE BEAR TOWNSHIP PERMIT NOTES:**
1. PLACE APPROXIMATELY 10' OF 1.25" INNERDUCT AND FIBER CABLE FROM EXISTING HANDHOLE TO NEW TELECOM CABINET.
 2. PLACE APPROXIMATELY 15' OF SCHEDULE 40-2" POWER CONDUIT FROM EXISTING METER SOCKET TO NEW TELECOM CABINET.
 3. PLACE APPROXIMATELY 5' OF 4" CONDUIT AND 4-100PR COPPER CABLES FROM EXISTING SAI TO NEW TELECOM CABINET.
 4. HAND DIGGING WILL BE USED.
 5. ALL DISTURBED SURFACES WILL BE RESTORED TO AS GOOD AS OR BETTER CONDITION THAN FOUND CONDITION.
 6. ALL EXISTING UNDERGROUND UTILITIES WILL BE LOCATED PRIOR TO CONSTRUCTION.
 7. 36" MINIMUM COVER WILL BE MAINTAINED



**3998 BELLAIRE
AVE**
 RAMSEY COUNTY
 CITY PERMIT
 WHITE BEAR TWP, MN
 55110

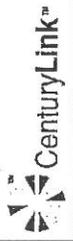
Job Description:
 This job will place one new COOLED III, 10' of innerduct and fiber cable, 15' of schedule 40-2" power conduit, and 5' of 4" conduit and 4-100 pr copper cables.

PROJECT: N.265979
 CENTURYLINK

Bradford Halberberger
 PHONE: 857.372.7184
 EMAIL: Bradford.Halberberger@centurylink.com

POWER ENGINEERS
 DRAWN BY: Claire Katscher-Stehr
 EMAIL: Claire.katscher-stehr@centurylink.com
 FIELD ENGINEER: Nick Sreagmann

SHEET 02 OF 02
 REV: 01
 DATE: 7/18/2017



SCALE: 1"=20'



**Town Board Meeting
August 7, 2017**

Agenda Number: 6.A – Old Business

Subject: SEH Agreements for Professional Services – Environmental & Transportation – Approve Agreements & Authorize Execution by Town Board Chair

Documentation: Town Attorney Memos
Proposed Agreements

Action / Motion for Consideration:

Town Attorney Report at Meeting / Discuss

Based Town Attorney & Staff Review & Recommendation:

1. Approve the Agreements for Professional Services with SEH Regarding Environmental & Transportation Services.
2. Authorize Execution by the Town Board Chair

MEMORANDUM

DATE: August 3, 2017
TO: White Bear Town Board
FROM: Chad Lemmons
RE: Agreement for Professional Services – Short Elliott Hendrickson, Inc.
(Environmental)

DISCUSSION

I have reviewed the Agreement for Professional Services dated June 15, 2017 concerning the provision of consultant services for miscellaneous water resource services. I find the agreement to be acceptable subject to the following comments.

This agreement is subject to the general conditions of agreement for professional services which is not attached to this present agreement. I recommend that those general conditions be reviewed. Additional language may be necessary.

The fees being charged by SEH are hourly with a cap of \$10,000.00. According to Paragraph A of Exhibit A-1 estimated compensation earned reaches 90% of the contract amount of \$10,000.00, SEH is to contact the Town and determine what additional costs be incurred to complete any project which has been started but not completed. The Town should keep track of when the outstanding billings reach \$9,000.00. At that time, the Town should contact SEH to find out what remaining costs may be incurred.

According to the schedule it is presumed that SEH will be providing services over the next 4-5 years. SEH bills on hourly rates and attached to Exhibit A-1 are the SEH hourly billable rates for the year 2017. This rate schedule expires on December 31, 2017 and we should presume that the rates will change in 2018. You may wish to consider placing an annual percentage cap as to how much SEH can raise its hourly rates. If an agreement can't be reached on changes in hourly rates, then you should consider adding language that would allow the Town to cancel this agreement, at its sole discretion, if it does not agree to the new hourly rates proposed by SEH.

If you have any questions regarding this memorandum, please feel free to contact me.

Agreement for Professional Services

This Agreement is effective as of June 15, 2017, between White Bear Township (Client) and Short Elliott Hendrickson Inc. (Consultant).

This Agreement authorizes and describes the scope, schedule, and payment conditions for Consultant's work on the Project described as: Miscellaneous Water Resources Services.

Client's Authorized Representative: Tom Riedesel
Address: 1281 Hammond Road
White Bear Township, MN 55110
Telephone: 651.747.2761 **email:** tom.riedesel@whitebeartownship.org

Project Manager: Rebecca Nestingen, PE
Address: 3535 Vadnais Center Drive
St. Paul, MN 55110
Telephone: 651.490.2175 **email:** rnestingen@sehinc.com

Scope: The Basic Services to be provided by Consultant as set forth herein is provided subject to the attached General Conditions of the Agreement for Professional Services (General Conditions Rev. 07.14.16), which is incorporated by reference herein and subject to Exhibits attached to this Agreement.

The Consultant will provide miscellaneous water resources services including development reviews on behalf of the Client for conformance with local, state, and federal stormwater management standards and regulations. Deliverables are to include a technical memorandum of review comments, findings, and recommendations. Reviews may include subsequent follow-up reviews of revised submittals to address initial review comments.

Schedule: Reviews and technical memorandum are to be completed within approximately two weeks of receiving the request for review and required submittal materials. The contract amount is anticipated to be sufficient for the next 4-5 years, but may vary dependent upon the quantity of development reviews requested.

Payment:
The fee is hourly estimated to be \$10,000 including expenses and equipment.

The payment method, basis, frequency and other special conditions are set forth in attached Exhibit A-1.

This Agreement for Professional Services, attached General Conditions, Exhibits and any Attachments (collectively referred to as the "Agreement") supersedes all prior contemporaneous oral or written agreements and represents the entire understanding between Client and Consultant with respect to the services to be provided by Consultant hereunder. In the event of a conflict between the documents, this document and the attached General Conditions shall take precedence over all other Exhibits unless noted below under "Other Terms and Conditions". The Agreement for Professional Services and the General Conditions (including scope, schedule, fee and signatures) shall take precedence over attached Exhibits. This Agreement may not be amended except by written agreement signed by the authorized representatives of each party.

Other Terms and Conditions: Other or additional terms contrary to the General Conditions that apply solely to this project as specifically agreed to by signature of the Parties and set forth herein:
None.

Short Elliott Hendrickson Inc.

White Bear Township

By: 
Justin Gese, PE, LEED GA
Title: Client Service Manager

By: _____
Title: _____

Exhibit A-1
to Agreement for Professional Services
Between White Bear Township (Client)
and
Short Elliott Hendrickson Inc. (Consultant)
Dated June 15, 2017

Payments to Consultant for Services and Expenses
Using the Hourly Basis Option

The Agreement for Professional Services is amended and supplemented to include the following agreement of the parties:

A. Hourly Basis Option

The Client and Consultant select the hourly basis for payment for services provided by Consultant. Consultant shall be compensated monthly. Monthly charges for services shall be based on Consultant's current billing rates for applicable employees plus charges for expenses and equipment.

Consultant will provide an estimate of the costs for services in this Agreement. It is agreed that after 90% of the estimated compensation has been earned and if it appears that completion of the services cannot be accomplished within the remaining 10% of the estimated compensation, Consultant will notify the Client and confer with representatives of the Client to determine the basis for completing the work.

Compensation to Consultant based on the rates is conditioned on completion of the work within the effective period of the rates. Should the time required to complete the work be extended beyond this period, the rates shall be appropriately adjusted.

B. Expenses

The following items involve expenditures made by Consultant employees or professional consultants on behalf of the Client. Their costs are not included in the hourly charges made for services and shall be paid for as described in this Agreement but instead are reimbursable expenses required in addition to hourly charges for services:

1. Transportation and travel expenses.
2. Long distance services, dedicated data and communication services, teleconferences, Project Web sites, and extranets.
3. Lodging and meal expense connected with the Project.
4. Fees paid, in the name of the Client, for securing approval of authorities having jurisdiction over the Project.
5. Plots, Reports, plan and specification reproduction expenses.
6. Postage, handling and delivery.
7. Expense of overtime work requiring higher than regular rates, if authorized in advance by the Client.
8. Renderings, models, mock-ups, professional photography, and presentation materials requested by the Client.
9. All taxes levied on professional services and on reimbursable expenses.
10. Other special expenses required in connection with the Project.
11. The cost of special consultants or technical services as required. The cost of subconsultant services shall include actual expenditure plus 10% markup for the cost of administration and insurance.

The Client shall pay Consultant monthly for expenses.

C. Equipment Utilization

The utilization of specialized equipment, including automation equipment, is recognized as benefiting the Client. The Client, therefore, agrees to pay the cost for the use of such specialized equipment on the project. Consultant invoices to the Client will contain detailed information regarding the use of specialized equipment on the project and charges will be based on the standard rates for the equipment published by Consultant.

The Client shall pay Consultant monthly for equipment utilization.

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SEH Hourly Billable Rates – 2017

Classification – Office Staff	Billable Rate ⁽¹⁾
Principal	\$155.00 - \$240.00
Project Manager	\$120.00 - \$225.00
Senior Project Specialist	\$120.00 - \$200.00
Senior Project Engineer	\$130.00 - \$200.00
Project Engineer	\$100.00 - \$160.00
Staff Engineer	\$80.00 - \$120.00
Senior Project Architect	\$130.00 - \$195.00
Project Architect	\$95.00 - \$150.00
Staff Architect	\$80.00 - \$110.00
Senior Project Scientist	\$125.00 - \$165.00
Project Scientist	\$80.00 - \$115.00
Staff Scientist	\$70.00 - \$90.00
Senior Project Planner	\$150.00 - \$195.00
Project Planner	\$85.00 - \$135.00
Staff Planner	\$70.00 - \$90.00
Project GIS Analyst	\$80.00 - \$150.00
Lead Technician	\$90.00 - \$160.00
Senior Technician	\$80.00 - \$130.00
Technician	\$60.00 - \$105.00
Word Processor	\$55.00 - \$90.00
General Clerical	\$55.00 - \$90.00
Graphic Designers	\$80.00 - \$120.00

Classification – Field Staff	Billable Rate ⁽¹⁾
Licensed Land Surveyor	\$105.00 - \$150.00
Lead Project Representative	\$95.00 - \$145.00
Sr. Project Representative	\$75.00 - \$125.00
Project Representative	\$70.00 - \$120.00
Survey Crew Chief	\$85.00 - \$120.00
Survey Instrument Operator	\$60.00 - \$90.00

(1) The actual rate charged is dependent upon the hourly rate of the employee assigned to the project.

The rates shown are subject to change.

Effective: January 1, 2017
 Expires: December 31, 2017



Building a Better World
 for All of Us[®]

SHORT ELLIOTT HENDRICKSON INC.

MEMORANDUM

DATE: August 3, 2017
TO: White Bear Town Board
FROM: Chad Lemmons
RE: Agreement for Professional Services – Short Elliott Hendrickson, Inc.
(Transportation)

DISCUSSION

I have reviewed a professional services agreement between the Township and Short Elliot Hendrickson, Inc. (“SEH”) to provide miscellaneous water resources and traffic engineering services dated June 15, 2017. I find the agreement acceptable with the following comments.

This agreement is subject to the general conditions of agreement for professional services which is not attached to this present agreement. I recommend that those general conditions be reviewed. Additional language may be necessary.

It is my understanding that Town staff will initiate each consultation project and provide SEH with a clear statement of what work the Town wishes SEH to perform on its behalf. Under the terms of the agreement, SEH is to provide the Town with a technical memorandum of review, comments, findings and recommendations. I am assuming that this accurately describes what work the Town is expecting SEH to perform on its behalf.

This contract also calls for SEH to be paid an hourly rate, with the 2017 hourly billable rates attached to Exhibit A-1. As in the case of the environmental consultation agreement. The rate scheduled terminates on December 31, 2017. As in the environmental agreement, the Town should consider language which places an annual percentage cap as to how much SEH can raise its hourly rates. You should also consider language which allows the Town to terminate the agreement at its sole discretion if the Town does not agree to the hourly rates to be charged by SEH in future years. I would also recommend that SEH be required to provide its annual hourly rates by January 2nd of the year in which the rates are to be charged. For example, rates for 2018 must be provided by January 2, 2018.

I would also note that under this agreement there is no cap as to the gross amount SEH will be billing to Town. Because neither the Town nor SEH can determine at this time what projects, if any, SEH will be working on for the Township there is no way to establish a practical dollar cap on what can be charged on this contract. However, you may wish to consider that.

If you have any questions regarding this memorandum, please feel free to contact me.

Agreement for Professional Services

This Agreement is effective as of June 15, 2017, between White Bear Township (Client) and Short Elliott Hendrickson Inc. (Consultant).

This Agreement authorizes and describes the scope, schedule, and payment conditions for Consultant's work on the Project described as: Miscellaneous Water Resources and Traffic Engineering Services.

Client's Authorized Representative: Tom Riedesel
Address: 1281 Hammond Road
White Bear Township, MN 55110
Telephone: 651.747.2761 **email:** tom.riedesel@whitebeartownship.org

Project Manager: Rebecca Nestingen, PE
Address: 3535 Vadnais Center Drive
St. Paul, MN 55110
Telephone: 651.490.2175 **email:** rnestingen@sehinc.com

Scope: The Basic Services to be provided by Consultant as set forth herein is provided subject to the attached General Conditions of the Agreement for Professional Services (General Conditions Rev. 07.14.16), which is incorporated by reference herein and subject to Exhibits attached to this Agreement.

The Consultant will provide miscellaneous water resources and traffic engineering services including development reviews on behalf of the Client for conformance with local, state, and federal standards and regulations. Deliverables are to include a technical memorandum of review comments, findings, and recommendations. Reviews may include subsequent follow-up reviews of revised submittals to address initial review comments.

Schedule: Reviews and technical memorandum are to be completed within approximately two weeks of receiving the request for review and required submittal materials.

Payment:
The fee is hourly.

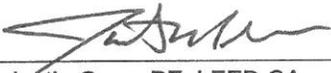
The payment method, basis, frequency and other special conditions are set forth in attached Exhibit A-1.

This Agreement for Professional Services, attached General Conditions, Exhibits and any Attachments (collectively referred to as the "Agreement") supersedes all prior contemporaneous oral or written agreements and represents the entire understanding between Client and Consultant with respect to the services to be provided by Consultant hereunder. In the event of a conflict between the documents, this document and the attached General Conditions shall take precedence over all other Exhibits unless noted below under "Other Terms and Conditions". The Agreement for Professional Services and the General Conditions (including scope, schedule, fee and signatures) shall take precedence over attached Exhibits. This Agreement may not be amended except by written agreement signed by the authorized representatives of each party.

Other Terms and Conditions: Other or additional terms contrary to the General Conditions that apply solely to this project as specifically agreed to by signature of the Parties and set forth herein:
None.

Short Elliott Hendrickson Inc.

White Bear Township

By: 
Justin Gese, PE, LEED GA
Title: Client Service Manager

By: _____
Title: _____

Exhibit A-1
to Agreement for Professional Services
Between White Bear Township (Client)
and
Short Elliott Hendrickson Inc. (Consultant)
Dated June 15, 2017

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Using the Hourly Basis Option

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Compensation to Consultant based on the rates is conditioned on completion of the work within the effective period of the rates. Should the time required to complete the work be extended beyond this period, the rates shall be appropriately adjusted.

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The following items involve expenditures made by Consultant employees or professional consultants on behalf of the Client. Their costs are not included in the hourly charges made for services and shall be paid for as described in this Agreement but instead are reimbursable expenses required in addition to hourly charges for services:

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8. Renderings, models, mock-ups, professional photography, and presentation materials requested by the Client.
9. All taxes levied on professional services and on reimbursable expenses.
10. Other special expenses required in connection with the Project.
11. The cost of special consultants or technical services as required. The cost of subconsultant services shall include actual expenditure plus 10% markup for the cost of administration and insurance.

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C. Equipment Utilization

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The Client shall pay Consultant monthly for equipment utilization.

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SEH Hourly Billable Rates – 2017

Classification – Office Staff	Billable Rate ⁽¹⁾
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(1) The actual rate charged is dependent upon the hourly rate of the employee assigned to the project.

The rates shown are subject to change.

Effective: January 1, 2017
 Expires: December 31, 2017



Building a Better World
 for All of Us™

SHORT ELLIOTT HENDRICKSON INC.



Town Board Meeting August 7, 2017

Agenda Number: 7A – New Business

Subject: 7:10 p.m. Public Hearing – Variance Request, 5451 Williams Avenue – Consider a 7.3’ Right-of-Way Setback Variance & a 13 Right-of-Way Setback Variance to Allow Reconstruction of a Garage

Documentation: Town Planer Memo w/ attachments
Variance Application
Public Notice / Resident Letter / Mailing List
Affidavit of Publication
Resident Comment

Action / Motion for Consideration:

- Note Proper Publication of Hearing Notice in Newspaper & Waive Reading of Notice
- Open Public Hearing
- Open Public Comment Port – Ask for Comments
- Close Public Portion of Hearing

Based on Planning Commission Review & Recommendation Approve a 4’ side yard setback variance and a 13’ right-of-way setback variance to construct a new garage in the same location, noting that it is an undersized lot; the garage will be an improvement; there will be less disruption of landscaping, and there are other similar substandard setbacks in the neighborhood.

Minutes
Planning Commission Meeting
June 22, 2017

CONSENT AGENDA: KRISTIN HOWARD, 5451 WILLIAMS AVENUE – REQUEST FOR A 13’ RIGHT-OF-WAY AND 7.3’ SIDE YARD SETBACK VARIANCE TO ALLOW CONSTRUCTION OF A

NEW GARAGE IN THE SAME LOCATION AS AN EXISTING GARAGE: Ms. Howard is requesting approval of a 7.3' side yard setback and a 13' right-of-way setback variance which, if approved, would allow construction of a new garage on the same footprint as her existing garage. The garage is located 22' from the Ridgeway Avenue right-of-way and 2.7' from the south lot line. Thirty-five foot right-of-way and 10' side yard setbacks are required. The garage is 22.2' wide by 24.3' in depth. The overhang is 6' or less with a slight pitch. The homeowner is planning to construct the same size garage in the same location. The pitch of the roof and overhangs are planned to be increased, however. The Howard lot is 10,454 square feet in a neighborhood where there are several structure encroachments into the setback area. Adjacent to the Howard garage are two others within 35', which access Ridgeway Avenue. One of these garages meets setback requirements, the other two, including the Howard garage, do not. The closest garage (at 5441 Ridgeway) is approximately 18' from the right-of-way. The Howard home is closer to the Ridgeway right-of-way than the garage (3.9' from the right-of-way of its closest point). The Howard home was remodeled in 2006. A 31.1' right-of-way setback variance was approved to add a second story to the home. A setback variance was also approved for the home at 5433 Ridgeway. A right-of-way setback variance to construct a new garage at 5433 Ridgeway was considered in 2014, but the Variance Board recommended to the property owner to place the new garage to meet setback requirements as there was room on the lot to construct a garage without setback variances.

There appears to be room on the lot to move the garage so it is further away from the right-of-way than the existing garage. Shifting the garage will require removal of a large tree and possibly a playground area.

The location of the Howard garage is consistent with several others on the Ridgeway alley. There is room between the existing garage and the paved portion of the alley to park a vehicle. Shifting the location of the new garage so it comes closer to meeting setback requirements would be preferred. Requiring shifting of the garage to meet setback requirements will negatively impact the use of the limited yard. Shifting the garage slightly on the property will decrease an existing non-conformity.

The Variance Board reviewed the request at their June 13, 2017 meeting. It was the consensus that the Howard lot is considered undersized. The existing garage has 4" overhangs and a slightly pitched roof. A representative of the Howard's attended the Variance Board meeting and noted that the existing garage is beyond repair and has foundation issues, therefore a new structure is preferred to remodeling the existing garage. The location of trees, playground and other structures in the neighborhood is why the Howard's are proposing reconstruction in the same location. The Howard's representative noted that the property owners may not agree to the increased side setback due to impacts to their existing trees and landscaping, fence, power pole, and use of their yard. The Variance Board recommends that the Planning Commission recommend to the Town Board to approve a 4' side yard setback variance and a 13' right-of-way setback variance to construct a new garage, noting that it is an undersized lot and that there are many other similar substandard setbacks in the neighborhood.

Comments from the Planning Commission included:

- Ulbrich: The Howard's should not be penalized and the garage could be built where it was.
- Artner: Support the existing site
- Flann: Agree to put the garage where it was.
- The garage will be improved.
- With the garage in the same location there will be no disruption of the landscaping.
- Kotilinek: Agree with placing the garage in the existing location but must be careful of setting precedence.
- Denn: Not in favor of placing the garage in the existing location. Last year the Planning Commission did not approve an application for a similar request.

Ulbrich moved, based on Variance Board review and recommendation to recommend to the Town Board to approve a 4' side yard setback variance and a 13' right-of-way setback variance to construct a new garage in the same location, noting that it is an undersized lot; the garage will be an improvement; there will be less disruption of landscaping, and there are other similar substandard setbacks in the neighborhood. Artner seconded. Ayes: Ulbrich, Artner, Flann and Patrick. Nay: Denn and Kotilinek.

Minutes
Variance Board Meeting
June 13, 2017

KRISTIN HOWARD – 5451 WILLIAMS AVENUE – Request for a 13' Right-of-Way & 7.3' Side Yard Setback Variance to Allow Construction of a New Garage in the Same Location as Their Existing Garage: Riedesel summarized the request to construct a new garage in the same location as an existing garage which will require approval of a 13' right-of-way & 7.3' side yard setback variances. The Howard lot is considered undersized (10,454 square feet in area). The existing garage has 4" overhangs and a slightly pitched roof. The Howard's would like to construct a new garage in the same location with a one foot overhang and an 18" overhang on the front of the garage.

Brad Diller, who is representing the Howard's, noted that the existing garage is beyond repair and has foundation issues. Therefore, a new structure is preferred to remodeling the existing garage. Diller noted the location of the trees, playground and other structures in the neighborhood is why the Howard's are proposing to reconstruction in the same location.

Johnson feels that since the garage is being reconstructed, the garage should be shifted so it is further from the side lot line.

Short agreed that the non-conformity should be improved if the structure is being rebuilt.

The Variance Board discussed location options noting that trees will be impacted if the garage is shift from its current location.

Denn noted that he is ok with the garage in its current location. Short feels he can support a 6' side yard setback which would require the new garage to be shifted 3.3' further from the lot lines than the existing garage.

Diller noted that the property owners may not agree to the increased side setback due to impacts to their existing trees and landscaping, fence, side power pole, and use of their yard.

Short encouraged Mr. Diller to stake a 6' side setback and discuss the location with the Howard's.

Short moved to recommend to the Planning Commission to recommend to the Town Board to approve a 4' side yard setback variance and a 13' right-of-way setback variance to construct a new garage, noting that it is an undersized lot and that there are many other similar substandard setbacks in the neighborhood. Johnson seconded. Ayes all.

MEMORANDUM

TO: VARIANCE BOARD
FROM: TOM RIEDESEL
DATE: JUNE 6, 2017

SUBJECT: GARAGE RECONSTRUCTION

REQUEST: 7.3' SIDE YARD SETBACK VARIANCE & 13' RIGHT-OF-WAY
SETBACK VARIANCE
LOCATION: 5451 WILLIAMS AVENUE
APPLICANT: KRISTIN HERBERT HOWARD
ZONING: R-1
PUBLIC
HEARING: REQUIRED

Ms. Howard is requesting approval of a 7.3' side yard setback and a 13' right-of-way setback variance which, if approved, would allow construction of a new garage on the same footprint as her existing garage. The garage is located 22' from the Ridgeway Avenue right-of-way and 2.7' from the south lot line. Thirty-five foot right-of-way and 10' side yard setbacks are required.

The garage is 22.2' wide by 24.3' in depth. The overhang is 6' or less with a slight pitch. The homeowner is planning to construct the same sized garage in the same location. The pitch of the roof and overhangs are planned to be increased, however.

The Howard lot is 10,454 square feet in a neighborhood where there are several structure encroachments into the setback area. Adjacent to the Howard garage are two others within 35', which access Ridgeway Avenue. One of these garages meet setback requirements, the other two, including the Howard garage, do not. The closest garage (at 5441 Ridgeway) is approximately 18' from the right-of-way. The Howard home is closer to the Ridgeway right-of-way than the garage (3.9' from the right-of-way of its closest point).

The Howard home was remodeled in 2006. A 31.1' right-of-way setback variance was approved to add a second story to the home. A setback variance was also approved for the home at 5433 Ridgeway. A right-of-way setback variance to construct a new garage at 5433 Ridgeway was considered in 2014, but the Variance Board recommended to the property owner to place the new garage to meet setback requirements as there was room on the lot to construct a garage without setback variances.

The Variance Board must consider if the location of the existing garage can be shifted to meet setback requirements similar to the garage at 5433 Ridgeway.

There appears to be room on the lot to move the garage so it is further away from the right-of-way than the existing garage. Shifting the garage will require removal of a large tree and possibly a playground area.

Section 9-6.4 of the Zoning Ordinance sets the standards which must be considered when reviewing a variance request. It states:

9-6.4. STANDARDS. In considering all requests for variance and in taking subsequent action, the Town Board shall approve the variance only if the following facts are established:

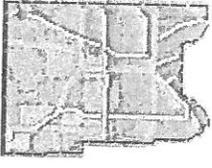
- (1). Without issuance of a variance, the provisions of this Ordinance would deprive the applicant of a reasonable use of property under the terms of this Ordinance.
- (2). That the special conditions and circumstances do not result from the actions of the applicant.
- (3). That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.
- (4). That the proposed action will not unreasonably increase the congestion on public streets.
- (5). That the proposed action will not increase the danger of fire or endanger the public safety.
- (6). That the proposed action will not unreasonably diminish or impair established property values within the neighborhood or in any other way be contrary to the intent of this Ordinance.

The location of the Howard garage is consistent with several others on the Ridgeway alley. There is room between the existing garage and the paved portion of the alley to park a vehicle. Shifting the location of the new garage so it comes closer to meeting setback requirements would be preferred. Requiring shifting of the garage to meet setback requirements will negatively impact the use of the limited yard. Shifting the garage slightly on the property will decrease an existing non-conformity.

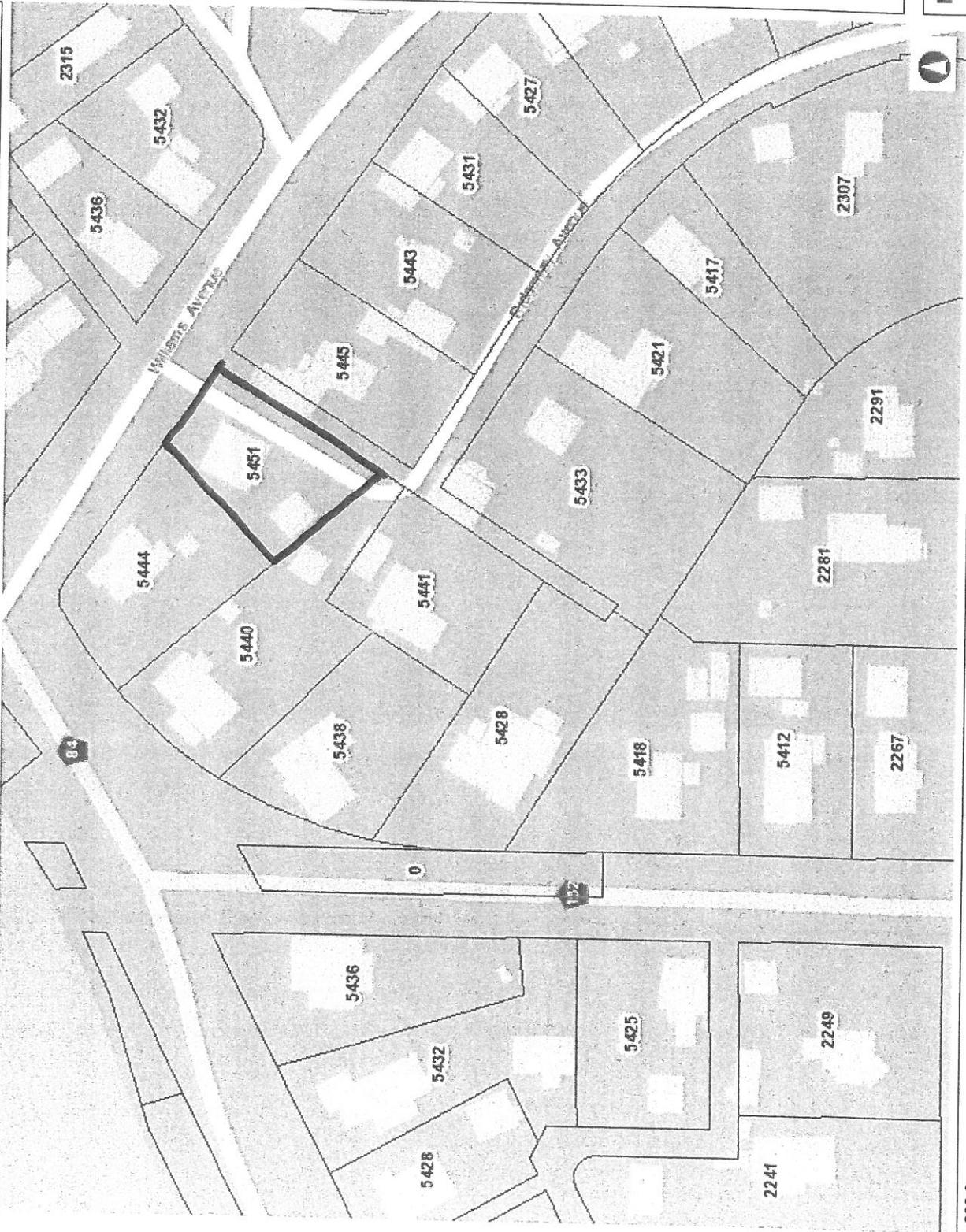
TR/psw
cc:admin/add.file
b:howard



Legend



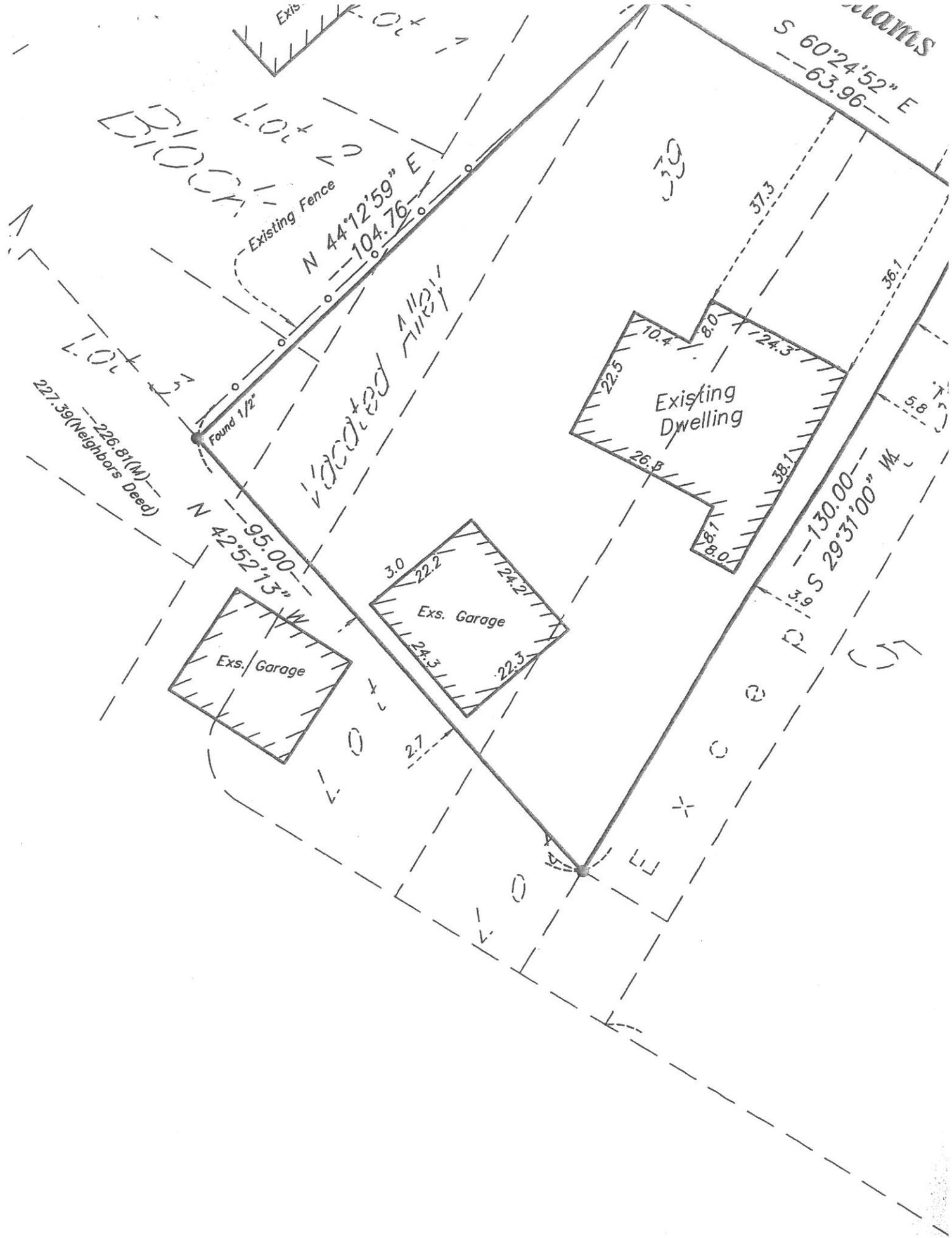
- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries
- Airports



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
 THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Enter Map Description





VARIANCE APPLICATION FORM

White Bear Township
1281 Hammond Road
White Bear Township, MN 55110
Phone 651-747-2750 Fax 651-426-2258
www.ci.white-bear-township.mn.us

RECEIVED

JUN 05 2017

TOWN OF WHITE BEAR

INTRODUCTION

Variations from the literal provisions of this Ordinance shall only be permitted when they are in harmony with the general purposes and intent of this Ordinance, and when the terms of the variance are consistent with the Comprehensive Plan. Variations may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the provisions of this Ordinance. "Practical Difficulties", as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by this Ordinance; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. Variations shall be granted for earth sheltered construction as defined in Minnesota Statutes, when in harmony with this Ordinance. No variance may be granted that would allow any use that is not allowed in the zoning district in which the subject property is located. The Town Board may impose conditions in granting a variance that are directly related to and in rough proportion to an impact created by the variance. Conditions may be imposed in the granting of variations to insure compliance and to protect adjacent properties.

Fee \$225

APPLICANT(S) KRISTIN HERBERT HOWARD PHONE (Home) 651.407.7251
(Business)

ADDRESS 5451 WILLIAMS AVE.
WHITE BEAR TWP (Cell) 612.859.462
BRAD DILLER

PROPERTY OWNER KRISTIN HERBERT HOWARD 651-208-0013

ADDRESS OF SITE SAME AS ABOVE ZONING _____

EXISTING USE OF SITE GARAGE

DESCRIPTION OF VARIANCE REQUEST _____

SETBACKS:	Required	Existing	Requested
Front Yard	_____	_____	_____
Side Yard	_____	_____	_____
Side Yard	_____	_____	_____
Rear Yard	_____	_____	_____
Other (Specify)	_____	_____	_____

Applicant understands that the Variance Application fee will not be refunded if, after being submitted, the application is denied or the applicant chooses to withdraw.

It is the policy of White Bear Township that all identifiable costs associated with a Variance Application within the Township shall be the sole responsibility of the owner of said property. The costs shall include, but are not limited to the following: Township planning review costs (reports, meetings, site review); engineering review costs; legal costs (preparation of hearing notices, legal research, certification costs); publication costs (notice of hearing); reapportionment of assessments (engineers report); mailings and Ownership Reports (ownership/encumbrance).

Prior to the final approval by the Town Board, all Township expenses to date shall be paid by the owner. Subsequent expenses not paid at the time of final approval (due to billings by consultants, etc.) shall be due upon receipt of a billing from the Township.

[Handwritten Signature]
*Signature of Applicant(s)

25 MAY 2017
Date

*Prior to applying for a variance it is recommended that the applicant contact Town staff in order to discuss the proposal.

<u>To Be Completed By Office:</u>	
Date Request Received _____	
By _____ (Staff Member)	\$225.00 Fee Received
Date Application Complete _____	<input type="checkbox"/> Yes <input type="checkbox"/> No

STATEMENT OF AFFECTED
PROPERTY OWNERS

If a signed statement is not provided by the applicant for a variance, the Town Board shall order a public information meeting which will include printed notice to all property owners within 350' of the property where the variance is requested. Public Notice publication costs will be the responsibility of the applicant.

I am the owner of the property at: 5451 WILLIAMS AVE. I am requesting that the Town of White Bear grant me a variance from Ordinance No. _____, for the following purpose:
REBUILD GARAGE ON EXISTING LOCATION

My request will be reviewed by the Variance Board and the Planning Commission, with a final decision being made by the Town Board. I must provide the Board with a statement signed by the adjacent property owners, recording their comments relative to my request. Please feel free to write below any comments you may have regarding this issue. This statement must be signed and dated.

PROPERTY OWNERS

1. Name: Anna Lewins Address: 5433 Ridgeway Ave.
JOE LEWINS Phone: (Home) 651-653-6397
(Bus.) _____
(Cell) 651-334-6371

Comments: _____

Date: 5/26/17 Signatures: [Signature]

2. Name: Deborah M. Munya Address: 5441 Ridgeway Ave
Phone: (Home) _____
(Bus.) _____
(Cell) 763 438-1141

Comments: _____

Date: 5-25-17 Signatures: Deborah M. Munya

3. Name: Peter Narow Address: 5440 Bald Eagle Blvd. E.
Terri Narow Phone: (Home) 651-426-4998
(Bus.) _____
(Cell) 651-230-0987

Comments: _____

Date: 5/30/17 Signatures: [Signature]
Terri Narow

STATEMENT OF AFFECTED PROPERTY OWNERS

If a signed statement is not provided by the applicant for a variance, the Town Board shall order a public information meeting which will include printed notice to all property owners within 350' of the property where the variance is requested. Public Notice publication costs will be the responsibility of the applicant.

I am the owner of the property at: 5451 WILLIAMS AVE. I am requesting that the Town of White Bear grant me a variance from Ordinance No. _____, for the following purpose:

REBUILD GARAGE IN EXISTING LOCATION

My request will be reviewed by the Variance Board and the Planning Commission, with a final decision being made by the Town Board. I must provide the Board with a statement signed by the adjacent property owners, recording their comments relative to my request. Please feel free to write below any comments you may have regarding this issue. This statement must be signed and dated.

PROPERTY OWNERS

1. Name: Lanette Macintosh Address: 5445 Williams Ave
Ethan Macintosh Phone: (Home) _____
(Bus.) _____
(Cell) 651-235-4177

Comments: _____

Date: 6-2-17

Signatures: Janette Macintosh Ethan Macintosh

2. Name: _____ Address: _____
Phone: (Home) _____
(Bus.) _____
(Cell) _____

Comments: _____

Date: _____

Signatures: _____

3. Name: _____ Address: _____
Phone: (Home) _____
(Bus.) _____
(Cell) _____

Comments: _____

Date: _____

Signatures: _____



NOTICE OF HEARING REQUEST FOR A VARIANCE FROM ORDINANCE NO. 35 (ZONING) OF THE TOWN OF WHITE BEAR, RAMSEY COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN, That the Town Board of the Town of White Bear, Ramsey County, Minnesota, will meet at Heritage Hall, 4200 Otter Lake Road, in said Town on Monday, August 7, 2017, at 7:10 p.m., to consider the following:

- 7.3' right-of-way setback variance
- 13' right-of-way setback variance

to allow re-construction of a garage on the following described property lying and being in the Town of White Bear, Ramsey County, Minnesota:

That part of Lot 39, Block 5, Shady Side Addition, 59 seconds East and 104.76 feet more or less to the northerly line thereof, Ramsey County, Minnesota

(5451 Williams Avenue)

and to hear and pass upon objections and recommendations, if any, and to conduct any and all business incident thereto.

Given under my hand this 6th day of July, 2017.

BY ORDER OF THE TOWN BOARD OF SUPERVISORS

A handwritten signature in black ink, appearing to read "W. Short".

WILLIAM F. SHORT, Clerk-Treasurer



WHITE BEAR TOWNSHIP

1858
RAMSEY COUNTY
MINNESOTA

Board of Supervisors
ROBERT J. KERMES, Chair
ED M. PRUDHON
STEVEN A. RUZEK

1281 HAMMOND ROAD
WHITE BEAR TOWNSHIP, MN 55110

651-747-2750
FAX 651-426-2258
Email: wbt@whitebeartownship.org

July 26, 2017

Township Resident
White Bear Township, Minnesota

Re: Variance Request

Dear Resident:

Enclosed please find a **Notice of Hearing Request for a Variance From Ordinance No. 35 (Zoning) of the Town of White Bear, Ramsey County, Minnesota.**

The owner of property at 5451 Williams Avenue is requesting approval of both a 7.3' side yard and 13' right-of-way setback variance which would allow reconstruction of a dilapidated garage in the same location.

The Public Hearing on the matter is scheduled for **Monday, August 7, 2017 @ 7:10 p.m., at Heritage Hall, 4200 Otter Lake Road, White Bear Township, Minnesota.**

If you have any questions regarding this matter, please plan to attend the meeting or you may contact Tom Riedesel, Planner, at 651.747.2761 or via e-mail at tom.riedesel@whitebeartownship.org.

Sincerely,

PATTI WALSTAD
Paralegal

PSW/s
Enc.
cc:admin/add.file



recycled paper

Parcel ID: 123022220039

Patricia Carlson
5436 Williams Ave
Saint Paul MN 55110

Parcel ID: 123022220063

Cynthia L Oien, Duane Oien
5423 Williams Ave
White Bear Lake MN 55110-2368

Parcel ID: 123022220068

Kristin A Herbert
5451 Williams Ave
White Bear Township MN 55110-2345

Parcel ID: 123022220041

~~**Kenneth M Rajala**
417 University Dr
San Diego CA 92108-2000~~

Parcel ID: 123022220064

Steven T Steidl, Laura M Steidl
5427 Williams Ave
White Bear Town MN 55110-2368

Parcel ID: 123022220074

Norman Barbeau
5424 Williams Ave
White Bear Lake MN 55110-2367

Parcel ID: 123022220095

Frank J Levins, Anna Lise Parisien
5433 Ridgeway St
White Bear Town MN 55110-2360

Parcel ID: 123022220065

Richard C Mott
5431 Williams Ave
White Bear Town MN 55110-2368

Parcel ID: 123022220089

Peter M Narrow, Terri L Narrow
5440 Bald Eagle Blvd E
White Bear Lake MN 55110-2382

Parcel ID: 123022220108

Robert E Jackson, Tammie Marie Jackson
2281 Buffalo St
White Bear Town MN 55110-2324

Parcel ID: 123022220096

Philip R Manson, Brenda M Manson
5421 Ridgeway St
White Bear Lake MN 55110-2360

Parcel ID: 123022220053

Gary Mumaugh, Deborah Mumaugh
5441 Ridgeway Ave
White Bear Lake MN 55110-2360

Parcel ID: 123022220067

Ethan C Macintosh, Lanette M Macintosh
5445 Williams Ave
White Bear Township MN 55110-2363

Parcel ID: 123022220097

~~**Brian L Pierce**
600 N Saguin Ave St E
New Braunfels TX 78108-5000~~

Parcel ID: 123022220106

John A Granat, Michelle M Granat
5412 Eagle St
White Bear Town MN 55110-2377

Parcel ID: 123022220040

Linda L Alberg
2315 Hoxie Ave
White Bear Town MN 55110-2341

Parcel ID: 123022220101

David L Person
2291 Buffalo St
St Paul MN 55110-2324

Parcel ID: 123022220121

Douglas M Drusch, Allison L Drusch
5474 Bald Eagle Blvd E
White Bear Lake MN 55110-2304

Parcel ID: 123022220066

Harold M Anderson, Marie F Anderson Trustee
5443 Ridgeway St
White Bear Lake MN 55110-2360

Parcel ID: 123022220120

Cory M Huberty, Keely C Churchill
5464 Bald Eagle Blvd E
White Bear Lake MN 55110-2304

Parcel ID: 123022220033

Gregory N Dupre, Teresa M Dupre
5472 Bald Eagle Blvd E
White Bear Lake MN 55110-2304

Parcel ID: 123022220035

Carol A Arvig
2336 Gaston Ave
White Bear Town MN 55110-2337

Parcel ID: 123022220105

Tamara L Belland, Robert Dahlman
5418 Eagle St
White Bear Lake MN 55110-2377

Parcel ID: 123022220125

Ramiro P Barriga
5737 Orchard Ave
White Bear Lake MN 55110-2349

Parcel ID: 123022220034

Carol A Arvig
2336 Gaston Ave
White Bear Town MN 55110-2337

Parcel ID: 113022110002

Jodelle K Klein, David L Klein
5436 Bald Eagle Blvd E
White Bear Lake MN 55110-2328

Parcel ID: 123022220094

Thomas George Rhude Trustee, Louise Rhude Trustee
5428 Eagle St
White Bear Lake MN 55110-2377

Parcel ID: 123022220038

Michelle Michael
5432 Williams Ave
White Bear Lake MN 55110-2389

Parcel ID: 123022220090

Kenneth J Anderson, Kathleen F Anderson
5438 Bald Eagle Blvd E
White Bear Lk MN 55110-2382

Parcel ID: 123022220037

William W Petryk, Ruth E Petryk
5462 Bald Eagle Blvd E
St Paul MN 55110-2304

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Carter Johnson, being first duly sworn, on oath states as follows:

- 1. I am the publisher of the WHITE BEAR PRESS, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant of Minnesota Statutes §331A.07.
2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.
3. The dates of the month and the year and day of the week upon which the public notice attached was published in the newspaper are as follows:

Once a week, for one week, it was published on Wednesday, the 26th day of July, 2017.

- 4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to §331A.06, is as follows:
a) Lowest classified rate paid by commercial users for comparable space
b) Maximum rate allowed by law for the above matter
c) Rate actually charged for the above matter \$ 16.07/inch

- 5. Mortgage Foreclosure Notices. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in Ramsey County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

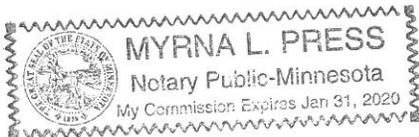
FURTHER YOUR AFFIANT SAITH NOT.

BY: [Signature]
TITLE: Carter Johnson, Publisher

Subscribed and sworn to before me on this 26th day of July, 2017.

[Signature]
Notary Public

WHITE BEAR TOWNSHIP
NOTICE OF HEARING REQUEST
FOR A VARIANCE FROM ORDINANCE NO. 35 (ZONING) OF THE TOWN OF WHITE BEAR, RAMSEY COUNTY, MINNESOTA
NOTICE IS HEREBY GIVEN, That the Town Board of the Town of White Bear, Ramsey County, Minnesota, will meet at Heritage Hall, 4200 Otter Lake Road, in said Town on Monday, August 7, 2017, at 7:10 p.m., to consider the following:
7.3' right-of-way setback variance
13' right-of-way setback variance
to allow re-construction of a garage on the following described property lying and being in the Town of White Bear, Ramsey County, Minnesota:
That part of Lot 39, Block 5, Shady Side Addition, 59 seconds East and 104.76 feet more or less to the northerly line thereof, Ramsey County, Minnesota
(5451 Williams Avenue)
and to hear and pass upon objections and recommendations, if any, and to conduct any and all business incident thereto.
Given under my hand this 6th day of July, 2017.
BY ORDER OF THE TOWN BOARD OF SUPERVISORS
WILLIAM F. SHORT, Clerk-Treasurer
Published one time in the White Bear Press on July 26, 2017.



RECEIVED

AUG 01 2017

TOWN OF WHITE BEAR

Tom Riedesel, Planner
Bill Short
White Bear Township

Re: 5451 Williams, Variance Request

Not long ago I applied for a variance like this at my property closeby. I needed to "replace a dilapidated garage in the same location" just like this request.

Almost all of the houses and garages on my alley are out of compliance with setbacks... the house next door on one side and a garage 2 doors down are located ON the property line. My existing "dilapidated" garage was already 3' from the side property line. I wanted a variance to build a new garage in the same place, 3' from side and 8' from alley. That would have allowed a decent size parking space on the other side. The small 40' lots and need for off-street parking made a variance necessary.

But you absolutely denied my request and refused anything less. So when the variance was denied I decided to repair the existing 1 car garage instead of building a new one. But when we applied for the repair permit the building inspector angrily stated we could NOT get a permit for repair, and that the ONLY way we could ever get a permit there was with a variance! (which had already been denied).

So now you are recommending a 7.3' side and 13' back variance, on a much larger lot just 3 properties away from mine! (?)

I certainly do object...

If my garage had to be built with required setbacks... so should theirs

Owner,
property at 5466 Bald Eagle Blvd.



**Town Board Meeting
August 7, 2017**

Agenda Number: 7B – New Business

Subject: 7:20 p.m. Public Hearing – Water Gremlin, 4336 Otter Lake Road – Construction Requests as Follows:

- Comprehensive Plan Amendment
- Rezoning
- Vacation of Easements
- Minor Subdivision
- Permitted Use Standards Permit

Documentation: Town Planner w/attachments
TKDA Correspondence
SEH Correspondence
Affidavit of Publication
Comprehensive Plan Amendment Application
WBL Resolution Authorizing a Letter of Consent
WBL Response to Comp Plan Amendment
Petition to Rezone
Proposed Ordinance Amending Section 4 (Zoning Map)
Petition for Vacation of Street, Alley, or Easement
Public Notice / Resident Letter / Mailing List /
Affidavit of Posting
Proposed Resolution Ordering Vacation of
Drainage & Utility Easements
Permitted Use Standards Permit Application From
w/attachments
Proposed Permitted Use Standards Permit &
Requirements

to industrial. In 2012 when Water Gremlin proposed their newest building, a similar Comprehensive Plan amendment was requested and approved for a single family property abutting the home at 4336 Otter Lake Road. The specific amendment requested is to amend the Comprehensive Plan Use Plan Map and to reclassify the property at 4336 Otter Lake Road from residential to industrial. Prior to submitting the proposed Comprehensive Plan amendment to the Met Council for review the Planning Commission must review and recommend approval of the amendment, the Town Board must give concept approval and adjacent governmental units and school district #624 must be notified of the plan change. A 60-day review period is allowed for adjacent municipality and school district review. The incorporation of the home at 4336 Otter Lake Road into the Water Gremlin Company property has been anticipated for several years. The property should have been guided for light industrial but the Comprehensive Plan Use Designation and zoning are supposed to be consistent. Staff recommends approval of the minor Comprehensive Plan amendment as the map modification will incorporate a residential property into an industrial campus which has been anticipated for several years.

Zoning Ordinance Amendment: The home at 4336 Otter Lake Road is currently zoned R-1, Suburban Residential. The proposed Water Gremlin addition and related parking lot are proposed to be located partially on this property. Since the building is an industrial use, the property must be rezoned accordingly. The home previously located adjacent to 4336 Otter Lake Road was rezoned in 2012, when the Water Gremlin building was approved. One other home site adjacent to the home at 1584 Whitaker Street was also rezoned to accommodate expansion plans for the original Water Gremlin building. Rezoning of this residential property into the Water Gremlin campus has been anticipated for many years. Staff recommends approval of the Zoning Map amendment as requested.

Vacation of Drainage & Utility Easements: When the new Water Gremlin building was constructed in 2013, drainage and utility easements were provided around the perimeter of the property. Since the home at 4336 Otter Lake Road was not included in the original development easements were provided around the perimeter of that property. Since the 4336 Otter Lake Road property is now being incorporated into the campus, the easements abutting 3 sides of the property are planned to be vacated. A 10' drainage and utility easement will be provided along Otter Lake Road where 4336 Otter Lake Road now stands.

Minor Subdivision: The subdivision will split 3' off of the lot at 4336 Otter Lake Road abutting Otter Lake Road which would be dedicated as public right-of-way. This will create a 66' right-of-way consistent along this portion of Otter Lake Road.

Permitted Use Standards Permit: A Permitted Use Standards Permit is requested to construct the addition as proposed. Section 9-3.4 of the Zoning Ordinance sets the standards which must be met in order to approve a Permitted Use Standards Permit.

The Town's Engineer's correspondence of June 16, 2017 states that the proposed project will add 59 additional parking stalls. The proposal changes the parking to a one-way traffic with angled parking stalls. Ramsey County approval of the access is required. Possible conflicts with the trail location and existing utilities must be reviewed and addressed.

The Town's Engineer's correspondence dated June 16, 2017 states that there must be confirmation that the storm sewer between FES 1 and CBMH 2 has sufficient cover where it crosses the concrete sidewalk; install a drop where the sanitary sewer connects to the existing manhole, to bring the invert elevation to within 1.5' of the lowest invert; and label the proposed watermain size and pipe type; and modify storm sewer manhole and catch basin details to add infi-shield wraps.

Correspondence form TKDA, dated June 16, 2017 was reviewed. The Town Engineer notes that no work may begin until all items including Ramsey County, utility extension and watershed permits have been addressed. The following comments were provided by the TKDA: 1) Plat/Parcel: The existing residential property will be combined with the remainder of the development. The existing easement

must be vacated and new easement obtained. Right-of-way will need to be dedicated in the area of the residential lot. Easements will be required for drainage and utilities as well as trail easement.

SEH reviewed the proposed expansion and offered comments in the correspondence dated June 12, 2017. Their review includes stormwater management; control of erosion and sedimentation; and floodplain impacts.

Dave Zinschlag, Water Gremlin, Facility Manager, identified on a map the 56 acre Water Gremlin property. In response to a question about the trail bridge and if it would have lights for security, Ed Farr, Architect stated that solar lights at either end of the bridge could be an option. He reported that VLAWMO has tested for the bridge. In response to a question if there would be lights on the addition to the southern building. Dave Zinschlag reported that there will be downward facing lights consistent with the lights on the south building.

After review it was the consensus that the Water Gremlin requests have been addressed and meets requirements.

Ulbrich moved to recommend to the Town Board to approve a Comprehensive Plan amendment to amend the Comprehensive Plan Land Use Plan Map and to reclassify the property at 4336 Otter Lake Road from residential to industrial. Artner seconded. Ayes all.

Ulbrich moved to recommend to the Town Board to approve a Zoning Ordinance amendment to rezone the property at 4335 Otter Lake Road from R-1, Suburban Residential to Industrial. Artner seconded. Ayes all.

Ulbrich moved to recommend to the Town Board to approve vacation of drainage and utility easements abutting 3 sides of the property at 4336 Otter Lake Road, noting that a 10' drainage and utility easement will be provided along Otter Lake Road where 4336 Otter Lake Road now stands. Artner seconded. Ayes all.

Ulbrich moved to recommend to the Town Board to approve a Minor Subdivision which will split 3' off of the lot at 4336 Otter Lake Road along Otter Lake Road which would be dedicated as public right-of-way which would create a 66' right-of-way consistent along this portion of Otter Lake Road. Artner seconded. Ayes all.

Ulbrich moved to recommend to the Town Board to approve a Permitted Use Standards Permit as requested subject to approval of a driveway permit from Ramsey County for a new driveway access onto Otter Lake Road; all requirements summarized in the Water Resources Engineering (SEH) memo dated June 20, 2017; and all requirements of the Town Engineer including: 1) no work may begin until all items including Ramsey County utility extension and watershed permits have been addressed; 2) easements required for drainage and utilities as well as trail easement; 3) possible conflicts with the trail location and existing utilities must be reviewed and addressed; 4) water system demands must be submitted for review; 5) confirm that the storm sewer between FES 1 and CBMH 2 has sufficient cover where it crosses the concrete sidewalk; 6) install a drop where the sanitary sewer connects to the existing manhole, to bring the invert elevation to within 1.5' of the lowest invert; 7) label the proposed watermain size and pipe type; 8) modify storm sewer manhole and catch basin details to add Infi-Shield wraps. Artner seconded. Ayes all.

MEMORANDUM

TO: PLANNING COMMISSION
FROM: TOM RIEDESEL
DATE: JUNE 14, 2017

SUBJECT: BUILDING ADDITION
REQUESTS: COMPREHENSIVE PLAN
REZONING
VACATION OF DRAINAGE & UTILITY EASEMENTS
PERMITTED USE STANDARDS PERMIT
MINOR SUBDIVISION

LOCATION: 4370 OTTER LAKE ROAD
ZONING: I-1 – LIGHT INDUSTRIAL
R-1 – SUBURBAN RESIDENT

COMP PLAN
DESIGNATION: INDUSTRIAL
RESIDENTIAL LOW DENSITY

APPLICANTS: WATER GREMLIN COMPANY

Water Gremlin Company is requesting approval of 1) a Comprehensive Plan Amendment, 2) Rezoning, 3) Vacation of Drainage & Utility Easements; 4) Minor Subdivision; and 5) Permitted Use Standards Permit, which would allow them to construct a 72,000 square foot addition onto their new southern campus building at 4370 Otter Lake Road. This building was constructed in 2013 after Town approval of similar permits.

The addition is proposed to add manufacturing and warehousing space to the building. The addition is proposed on the north side of the building. The existing single family home at 4336 Otter Lake Road is being purchased by Water Gremlin. The home will be demolished. A portion of the new addition and parking lot will be constructed on the site where the home currently is. The home and lot are currently zoned R-1, Suburban Residential and the Comprehensive Plan designation is Residential Low Density. The Zoning and Comprehensive Plan must be changed in order to approve the Water Gremlin plans.

The following must be approved by the Town to allow the Water Gremlin addition:

Comprehensive Plan Amendment: A minor comprehensive plan amendment must be approved by the Town, and Metro Council, to re-guide the property at 4336 Otter Lake Road from residential to industrial. In 2012, when Water Gremlin proposed their newest building, a similar Comprehensive Plan amendment was requested and approved for a single family home property abutting the home at 4336 Otter Lake Road.

The specific amendment requested is to: 1) amend the Comprehensive Plan Land Use Plan Map, 2) re-classify the property at 4336 Otter Lake Road from residential to industrial.

Prior to submitting the proposed Comprehensive Plan amendment to the Met Council for review, the Planning Commission must review and recommend approval of the amendment, the Town Board must give concept approval and adjacent governmental units and school district #624 must be notified of the plan change. A 60-day review period is allowed for adjacent municipality and school district review.

The incorporation of the home at 4336 Otter Lake Road into the Water Gremlin Company property has been anticipated for several years. The property should have been guided for light industrial, but the Comprehensive Plan Land Use Designation and zoning are supposed to be consistent.

Zoning Ordinance Amendment: The home at 4336 Otter Lake Road is currently zoned R-1, Suburban Residential. The proposed Water Gremlin addition and relating parking lot are proposed to be located partially on this property. Since the building is an industrial use, the property must be rezoned accordingly.

The home previously located adjacent to 4336 Otter Lake Road was rezoned in 2012, when the Water Gremlin building was approved. One other home site adjacent to the home at 1584 Whitaker Street was also rezoned to accommodate expansion plans for the original Water Gremlin building.

Rezoning of this residential property into the Water Gremlin Campus has been anticipated for many years.

Vacation of Drainage & Utility Easements: When the new Water Gremlin building was constructed in 2013, drainage and utility easements were provided around the perimeter of the property. Since the home at 4336 Otter Lake Road was not included in the original development, easements were provided around the perimeter of that property. Since the 4336 Otter Lake Road property is now being incorporated into the campus, the easements abutting 3 sides of the property are planned to be vacated. A 10' drainage and utility easement will be provided along Otter Lake Road where 4336 Otter Lake Road now stands.

Minor Subdivision: The subdivision will split 3' off of the lot at 4336 Otter Lake Road along Otter Lake Road which would be dedicated as public right-of-way. This will create a 66' right-of-way consistent along this portion of Otter Lake Road.

Permitted Use Standards Permit: A Permitted Use Standards Permit is requested to construct the addition as proposed. Section 9-3.4 of the Zoning Ordinance sets the

standards which must be met in order to approve a Permitted Use Standards Permit. It states:

9-3.4(a). The use shall be planned, designed, constructed and maintained to avoid:

- (1). Unnecessary detracting from the appearance of adjacent properties or from the Town as a whole.
- (2). Aesthetic incompatibility.
- (3). Aural Incompatibility.
- (4). Damage to vegetation.
- (5). Traffic pattern incompatibility.
- (6). Erosion of soil.
- (7). Unnecessary loss of existing natural features (vegetation, steep slopes, wetlands, water bodies).
- (8). Increased flood potential.

9-3.4(b). No development shall be allowed which will result in unusual maintenance or repair costs of road, parking areas or utility lines.

9-3.4(c). Development shall be permitted only in such a manner that the maximum number of trees shall be preserved. It shall be the duty of the applicant to demonstrate that there are no feasible alternatives to the cutting of trees on the site.

9-3.4(d). The types and density of land use proposed for the site shall be suited to the site conditions and shall adequately correct problems due to soil limitations, including but not limited to, bearing strength, shrink-swell potential, slope stability, high groundwater, or wetness.

9-3.4(e). The proposed use shall be sited, designed, oriented and landscaped to produce a harmonious relationship of building and grounds to buildings and properties in the neighborhood.

9-3.4(f). The proposed use shall show sufficient landscaping to screen undesirable features and to enhance the development.

The Landscaping Plan has been designed with screening of parking lot and building mounted lights from nearby residential neighborhoods as a priority.

9-3.4(g). The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the policy and recommendations of the Comprehensive Plan.

9-3.4(h). Fire prevention and fighting equipment acceptable to the Board of Fire Underwriters and Town Board shall be readily available when any activity involving the handling or storage of flammable or explosive materials is carried on.

The only flammable material used on the site is gas used for welding. Storage and use of this gas is regulated by Osha.

Recommendations:

Zoning Ordinance Amendment:

Staff recommends approval of the Zoning Map amendment as requested.

Minor Comprehensive Plan Amendment:

Staff recommends approval of the minor Comprehensive Plan Amendment as the map modification will incorporate a residential property into an industrial campus which has been anticipated for several years.

Permitted Use Standards Permit:

Based on comments from the Town's Engineers which require some plan modifications, a recommendation will be provided when the Engineering comments are addressed.

TR/psw
cc:admin/add.file
b:watergremlin17



444 Cedar Street, Suite 1500
Saint Paul, MN 55101
651.292.4400
tkda.com

June 16, 2017

Planning Commission
White Bear Township, Minnesota

Re: Water Gremlin
South Campus Addition Plan Review Update
White Bear Township, Minnesota
TKDA Project No. 16327.001

Dear Commission Members:

We have completed an updated review of the following documents for Water Gremlin:

DOCUMENTS REVIEWED:

1. Water Gremlin South Campus Addition Plan Set, Loucks, dated June 1, 2017.
2. Stormwater Management Plan dated June 1, 2017. Updated June 13, 2017.

NOTE: No work may begin until all items including Ramsey County, utility extension and watershed permits have been addressed.

We offer the following comments:

Plat/Parcel:

The existing residential property will be combined with the remainder of the development. The existing easement must be vacated and new easement obtained. Right-of-way will need to be dedicated in the area of the residential lot.

Easements will be required for drainage and utilities as well as trail easement.

Streets, Access, and Trail:

The proposed project will add 59 additional parking stalls. The proposal changes the parking to a one-way traffic with angled parking stalls.

Ramsey County approval of the access is required.

Possible conflicts with the trail location and existing utilities must be reviewed and addressed.

Town Board
Water Gremlin
South Campus Addition Plan Review Update
June 16, 2017
Page 2

Water system:

The water system demands must be submitted for review.

Stormwater Management and Storm Sewer:

A complete water quality review will be performed by others.

The following items must be addressed:

Sheet C4-1:

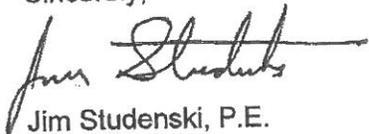
1. Confirm that the storm sewer between FES 1 and CBMH 2 has sufficient cover where it crosses the concrete sidewalk.
2. Install a drop where the sanitary sewer connects to the existing manhole, to bring the invert elevation to within 1.5' of the lowest invert.
3. Label the proposed watermain size and pipe type.

Sheet C8-1:

1. Modify storm sewer manhole and catch basin details to add Infi-Shield wraps.

Please contact me at (651) 292-4503 with any questions.

Sincerely,



Jim Studenski, P.E.
Town Engineer

cc: Tom Riedesel, Town Planner
Dale Reed, Public Works Director
Mike Johnson, Building Official



Building a Better World
for All of Us®

MEMORANDUM

TO: Tom Riedesel, Planner - White Bear Township
Neal Logan - Edward Farr Associates

FROM: Rebecca Nestingen, PE, CFM - SEH

DATE: June 12, 2017

RE: Water Gremlin South Campus Building Expansion Stormwater Review

BACKGROUND

At your request, we have reviewed the proposed development plan for Water Gremlin to identify any water resources and/or stormwater management issues or concerns that should be considered for the preliminary development plan. The proposed plan consists of expanding the warehouse, adding parking on the west side of the building with associated landscape, hardscape and utilities. The site is located east of Otter Lake Road and south of Whitaker Street in Section 22, Township 30 North, Range 22 West of White Bear Township, Ramsey County, Minnesota.

STORMWATER MANAGEMENT

The Township's Local Water Management Plan has adopted the standards of the Vadnais Lake Area Watershed Management Organization (VLAWMO) and requires compliance with their rules for stormwater management. In addition to local regulations the project must be in compliance with the Minnesota Pollution Control Agency's NPDES Construction Stormwater Permit. The following criteria are applicable to the proposed project:

- **Rate Control.** The proposed project shall not increase the peak stormwater runoff rate from the site for the 2, 10, and 100-yr, 24-hr precipitation design event.
- **Volume Retention.** The MPCA requires a water quality volume (WQV) of one inch of runoff from the new impervious surfaces created by the project shall be retained onsite. VLAWMO requires onsite retention of 1.1 inches of runoff from the new and/or fully reconstructed impervious.
- **Water Quality.** For those projects where infiltration is prohibited other methods of volume retention shall be considered and the WQV must be treated by a wet sedimentation basin, filtration system, regional ponding or equivalent methods.

The proposed project will create an impervious area of approximately 3.31 acres and includes the expansion of a wet sedimentation basin to provide the required stormwater management. Per the NPDES permit, the wet sedimentation basin must have a permanent volume of 1,800 cubic feet of storage for each acre that drains to the basin and must have live storage for the WQV that is discharged at no more than 5.66 cfs per acre of surface area of the pond.

A plan layout and stormwater management plan was submitted by Loucks Associates and reviewed for compliance with the applicable criteria. The proposed project does not meet the rate control criteria for the 2-year and 100-year storm events. The discharge to the wetland (represented as HydroCAD node 5R) increases from the existing to proposed condition. In addition, the peak discharge rates are

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 3535 Vadnais Center Drive, St. Paul, MN 55110-5196

SEH is 100% employee-owned | sehinc.com | 651.490.2000 | 800.325.2055 | 888.908.8166 fax

erroneously totaled as a sum in Tables 1.1 and 1.2 in the provided report. Peak discharge rates cannot simply be summed because the peaks do not occur at the same time in the hydrograph.

Since the site is not conducive to infiltration, the WQV is proposed to be treated by expanding the existing wet sedimentation basin. The wet sedimentation basin design was reviewed for meeting the water quality volume and permanent pool criteria. The permanent volume of 1,800 cubic feet of storage for each acre that drains to the basin, therefore the required volume is approximately 14,400 cubic feet based on a drainage area to the basin of 8.00 acres. A permanent pool of approximately 71,500 is proposed and exceeds the required volume.

The existing basin was constructed in the 2012/2013 time period with the original site development. At that time the NPDES construction stormwater permit required a water quality treatment volume of 0.5 inches of runoff from the new impervious surfaces. Therefore the existing basin should have been designed and constructed to have a water quality volume of approximately 6,100 cubic feet based upon an impervious area of 3.37 acres. For the proposed site conditions, there is 3.31 acres of new/reconstructed impervious requiring a water quality volume of approximately 13,200 based upon VLAWMO's requirement for treatment of 1.1 inches of runoff from the new/reconstructed impervious. The cumulative WQV that the basin must provide is then approximately 19,300 cubic feet. This WQV will occur when the basin reaches a cumulative storage of 90,800 cubic feet at an approximate elevation of 916.5'. At this elevation the stage-storage-area-discharge relationships of the basin give a discharge rate of 0.85 cfs/acre, below the NPDES maximum allowable discharge rate of 5.66 cfs/acre.

In addition to revision of the wet sedimentation basin design, the following model/documentation errors should be corrected:

- The time of concentration for subcatchment 1S appears to be overestimated. There are no identifiable flow paths in the existing or proposed site condition where 300 feet of sheet flow over short grass will occur.
- The existing impervious areas on the plan for 1S does not match the impervious area in the model.
- The time of concentration for subcatchment 2S exceeds the maximum recommended sheet flow length of 300 feet in the proposed conditions.
- The starting water elevation of the pond should match the controlling invert of the primary outlet (915.60') in the existing conditions model.
- Proposed subcatchment 3S is incorrectly labeled as 1S on the exhibit.
- The surface emergency overflow elevation of the basin is not identified or modeled. Include the surface overflow in the model and report the 100-year HWL and proposed lowest floor elevation. The proposed structure addition must be 3' above the 100-year, 24-hour elevation of the basin per the township's Stormwater Management Ordinance No. 87.

CONTROL OF EROSION AND SEDIMENTATION

The stormwater management plan submitted states that during construction, erosion control measures will include dust control, silt fencing, inlet protection, a temporary rock construction entrance, and a concrete wash-out area. A stormwater pollution prevention plan (SWPPP) and construction documents have not yet been prepared or submitted for review, however, the SWPPP preparer will be required to submit training documentation for the preparer of the SWPPP.

FLOODPLAIN IMPACTS

The proposed project appears to be partially located within a FEMA Flood Hazard Zone as shown on the Flood Insurance Rate Map (FIRM) Panel 27123C0035G. The area is mapped as Zone A which does not provide a 100-year flood elevation therefore in accordance with the township Ordinance No. 57, the town

shall: 1) require a flood plain evaluation consistent with section 5-3 of the ordinance to determine a 100-year flood elevation for the site; or 2) base its decision on available hydraulic/hydrologic or site elevation survey data which demonstrates the likelihood the site is within or outside of the floodplain. The developer shall submit adequate documentation of conformance with Ordinance No. 57 including no adverse impacts to the capacity and lowest floor elevations of the proposed structure 2' above the regulatory flood protection elevation.

RECOMMENDATIONS

It is recommended that the proposed project not be approved until floodplain impacts are evaluated and stormwater management criteria for rate control and structure freeboard are met.

rsn

s:\uz\wwhbrt\common\reviews\watergremlinph2\watergremlin.docx

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Carter Johnson, being first duly sworn, on oath states as follows:

- 1. I am the publisher of the WHITE BEAR PRESS, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant of Minnesota Statutes §331A.07.
2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.
3. The dates of the month and the year and day of the week upon which the public notice attached was published in the newspaper are as follows:

Once a week, for one week, it was published on Wednesday, the 26th day of July, 2017.

- 4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to §331A.06, is as follows:

- a) Lowest classified rate paid by commercial users for comparable space
b) Maximum rate allowed by law for the above matter
c) Rate actually charged for the above matter \$ 16.07/inch

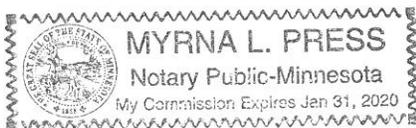
- 5. Mortgage Foreclosure Notices. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in Ramsey County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

FURTHER YOUR AFFIANT SAITH NOT.

BY: [Signature]
TITLE: Carter Johnson, Publisher

Subscribed and sworn to before me on this 26th day of July, 2017.

[Signature]
Notary Public



WHITE BEAR TOWNSHIP PUBLIC NOTICE
NOTICE IS HEREBY GIVEN, That the Town Board of the Town of White Bear, Ramsey County, Minnesota, will meet at Heritage Hall, 4200 Otter Lake Road, in said Town on Monday, August 7, 2017, beginning at 7:20 p.m.. to consider the following items:
• Comprehensive Plan Amendment
• Rezoning
• Vacation of Easements
• Minor Subdivision
• Permitted Use Standards Permit
pertaining to the following described property lying and being in the Town of White Bear, Ramsey County, Minnesota:
Commencing at the center of Section 22, thence East on the quarter line 864.66 feet; thence at an angle of 108 degrees, 47 minutes to a line 100 feet from the point of beginning; thence continuing on said course 75 feet; thence northeasterly at right angles 236.69 feet; thence at right angles southeasterly 155.05 feet; thence west 250 feet to the beginning in the northeast quarter of Section 22, Township 30, Range 22, Ramsey County, Minnesota
(4336 Otter Lake Road)
and to pass upon objections and recommendations, if any, and to conduct any and all business incident thereto.
Given under my hand this 6th day of July, 2017.
BY ORDER OF THE TOWN BOARD OF SUPERVISORS
WILLIAM F. SHORT, Clerk-Treasurer
Published one time in the White Bear Press on July 26, 2017.



1

COMPREHENSIVE PLAN AMENDMENT APPLICATION FORM

RECEIVED

JUN 01 2017

TOWN OF WHITE BEAR

INTRODUCTION

An amendment to the Comprehensive Plan may be granted or denied by the Town Board after recommendation by the Planning Commission.

APPLICANT(S) CARL DUBOIS PHONE (Home) _____
WATER GREMLIN CO. (Business) 651-209-9404
(Cell) _____

ADDRESS 4400 OTTER LAKE RD.
WHITE BEAR TOWNSHIP, MN
55110

PROPERTY OWNER GERALD K AND JOANNE HOPPE

ADDRESS OF SITE 4336 OTTER LAKE RD ZONING R-1

EXISTING USE OF SITE SINGLE FAMILY RESIDENCE

PROPOSED COMPREHENSIVE PLAN AMENDMENT CHANGE FROM
RESIDENTIAL - LOW DENSITY DESIGNATION TO INDUSTRIAL DESIGNATION.

REASON FOR REQUEST TO ALLOW FOR THE ORDERLY REDEVELOPMENT TO MAKE
THE USE CONSISTENT IN THIS AREA.

_____ Initial Fee (\$110.00 plus \$200.00 Expense Deposit)

REVIEW PROCESS:

1. Submit 15 copies of application and all supporting information to Town Planner (minimum of 3 weeks prior to Planning Commission Meeting).
2. Planning Commission _____ (4th Thursday of the month @ 7:00 p.m. at the Town Hall).
3. Town Board _____ (1st Monday of the following month @ 7:00 p.m. at Town Hall.)
(Call Public Hearing)
4. Town Board _____ Public Hearing
5. Town Board _____
(Action subject to Public Hearing Schedule)

It is the policy of White Bear Township that all identifiable costs associated with Comprehensive Plan Amendment requests within the Township shall be the sole responsibility of the owner of said property. The costs shall include, but are not limited to: Township planning review costs (reports, meetings, site review); engineering review costs; legal costs, (preparation of hearing notices, legal research, certification costs); publication costs (notice of hearing), reapportionment of assessments (engineers report); mailings and Ownership Reports (ownership/encumbrance).

Prior to the final approval by the Town Board, all Township expenses to date shall be paid by the owner. Subsequent expenses not paid at the time of final approval (due to billings by consultants, etc.), shall be due upon receipt of a billing from the Township.

Carl T Dubois
Signature of Applicant(s)

June 1, 2017
Date

To Be Completed By Office:

Date Request Received _____

By _____
(Staff Member)

\$110.00 Fee + \$200 Deposit Received Yes
 No

Date Application Complete _____

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING A LETTER OF CONSENT TO
WHITE BEAR TOWNSHIP
A COMPREHENSIVE PLAN AMENDMENT**

WHEREAS, White Bear Township has proposed a Comprehensive Plan Amendment to re-guide the property at 4336 Otter Lake from Residential Low Density to Industrial to facilitate future expansion of the Water Gremlin Company; and

WHEREAS, the City of White Bear Lake, as an adjacent municipality, is provided the opportunity to review and offer comment on the proposed Comprehensive Plan Amendment; and

WHEREAS, the site is not contiguous to the corporate limits of the City of White Bear Lake; and

WHEREAS, the change in land use allows Water Gremlin Company to expand and increase tax base which benefits the broader community;

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of White Bear Lake, Minnesota, that it hereby authorizes a response to the Town of White Bear indicating that the City Council has reviewed the proposed Comprehensive Plan amendment and does not have any comments and waives any further review/comment.

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



**WHITE BEAR
TOWNSHIP**

1858
RAMSEY COUNTY
MINNESOTA

1281 HAMMOND ROAD
WHITE BEAR TOWNSHIP, MN 55110

651-747-2750
FAX 651-426-2258
Email: wbt@whitebeartownship.org

Board of Supervisors
ROBERT J. KERMES, Chair
ED M. PRUDHON
STEVEN A. RUZEK

June 15, 2017

Re: Comprehensive Plan Amendment – Water Gremlin Company

The Town of White Bear is processing a minor comprehensive plan amendment for a proposed expansion of the Water Gremlin building at 4370 Otter Lake Road.

Water Gremlin is in the process of purchasing 4336 Otter Lake Road, a single family home, with plans to incorporate the residential property into their campus. An expansion of Water Gremlin's southerly building is being proposed which would place portions of the building addition and parking lot on the 4336 Otter Lake Road property.

The proposed comprehensive plan amendment is:

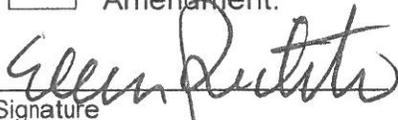
- To amend the Land Use Plan Map which currently guides the property at 4336 Otter Lake Road as Residential Low Density to Industrial.

Please provide your response by August 7th or sooner, if possible.

The proposed Comprehensive Plan Amendment does not appear to have any impact on the Community/School District and we have no objection to the proposed amendment.

The jurisdiction has the following comments on the proposed Comprehensive Plan Amendment (see attached).

The jurisdiction has no comment on the proposed Comprehensive Plan Amendment.


Signature


Date


Community or School District

If you have any questions regarding the proposed amendment, please contact Tom Riedesel at 651.747.2761 or via e-mail at tom.riedesel@whitebeartownship.org.



2



PETITION TO REZONE

May 31, 2017

We, the undersigned, owners of property described beside our names, being 50% by number of the property owners within 350 feet of the property to which the rezoning relates, and the property to which the rezoning relates, hereby Petition the Town Board of the Town of White Bear, Minnesota, pursuant to Subdivision 9-9 of Ordinance No. 35 (Zoning), to change the following described property:

4336 Otter Lake Road

from a "R-1 Suburban Residential" District to a "I-1" District for the purpose of

allowing redevelopment of the property to a more consistent use in this neighborhood, and to accommodate Water Gremlin's growth and investment in White Bear Township.

Petitioners' Signatures

Carl Dubois

Description of Property Owned by Petitioners

Lot 1 Block 1 Water Gremlin Addition

**AN ORDINANCE AMENDING SECTION 4 OF ORDINANCE NO. 35
OF THE TOWN OF WHITE BEAR, RAMSEY COUNTY, MINNESOTA,
ADOPTED SEPTEMBER 18, 1972, AS AMENDED, AND ENTITLED
“ZONING ORDINANCE FOR THE TOWN OF WHITE BEAR,
RAMSEY COUNTY, MINNESOTA”, AND DIVIDING THE
TOWN INTO DISTRICTS OR ZONES**

THE TOWN BOARD OF SUPERVISORS OF THE TOWN OF WHITE BEAR ORDAINS:

SECTION 1. Section 4 and “Town of White Bear Zoning Map” of Ordinance No. 35, adopted September 18, 1972, as amended, is amended as follows:

Commencing at the center of Section 22, thence East on the quarter line 864.66 feet; thence at an angle of 108 degrees, 47 minutes to a line 100 feet for a point of beginning; thence continuing on said course 75 feet; thence northeasterly at right angles 236.69 feet; thence at right angles southeasterly 155.05 feet; thence West 250 feet to the beginning in the northeast quarter of Section 22, Township 30, Range 22, Ramsey County, Minnesota

is hereby amended and rezoned from an “R-1” – Suburban Residential District to a “I-1” – Light Industrial District.

SECTION 2. SEVERABILITY. Should any section, subdivision, clause or other provision of this Ordinance be held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of the Ordinance as a whole, or of any part thereof, other than the part held to be invalid.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect and be in force from and after its passage and publication.

Passed by the Town Board of Supervisors of the Town of White Bear, Ramsey County, Minnesota, this 7th day of August, 2017.

APPROVED:

ROBERT J KERMES, Chair

ATTEST:

WILLIAM F. SHORT, Clerk-Treasurer

Board of Supervisors:
ROBERT J. KERMES, Chair
ED M. PRUDHON, Supervisor
STEVE A. RUZEK, Supervisor

3



PETITION FOR VACATION OF STREET, ALLEY, OR EASEMENT

We, the undersigned owners of the property described opposite our names, being the majority of the owners by number of the land abutting on the street, alley, or easement proposed to be vacated, hereby petition you, the Town Board, pursuant to Minnesota Statutes, Section 368.01, Subd. 25, to vacate the street, alley or easement or portion thereof, in the Town of White Bear, Ramsey County, Minnesota, described as follows:

Remove D+U perimeter easements of Lot 1 Block 1 Water Gremlin Addition that abut the lot at 4336 Otter Lake Road, and replace with new easement within the lot at 4336 Otter Lake Road; see enclosed Exhibits. Also, provide a Road Right-Of-Way Easement in the front of the lot at 4336 Otter Lake Rd to achieve consistent ROW alignment; see enclosed Exhibits.

Your petitioner(s) further state that it will be for the best interests of the public to vacate said street, alley or easement on the following rationale:

Perimeter lot easements being vacated due to lot consolidation of Lot 1 Block 1 Water Gremlin Addition with the lot at 4336 Otter Lake Rd., pursuant to the new development proposal.

It is the policy of White Bear Township that all identifiable costs associated with a street, alley or easement vacation within the Township shall be the sole responsibility of the petitioning party. The costs shall include, but are not limited to the following: Township planning review costs (reports, meetings, site review); engineering review costs; legal costs (preparation of hearing notices, legal research, certification costs); publication costs (notice of hearing notices; reapportionment of assessments (engineers report); mailings and Ownership Reports (ownership/encumbrance).

Prior to the final approved by the Town Board, all Township expenses to date shall be paid by the petitioning party. Subsequent expenses not paid at the time of final approval (due to billings by consultants, etc.) shall be due upon receipt of a billing from the Township.

Petitioner(s) Signatures

Carl T. Duboro

Date

May 31, 2017

Address/PIN # of Petitioner(s)

4400 Otter Lake Road

To Be Completed by Office:

Date Request Received _____

By _____
(Staff Member)

\$110.00 Fee + \$250 Deposit Received

Yes
 No

Date Application Complete _____



PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, That the Town Board of the Town of White Bear, Ramsey County, Minnesota, will meet at Heritage Hall, 4200 Otter Lake Road, in said Town on Monday, August 7, 2017, beginning at 7:20 p.m., to consider the following items:

- Comprehensive Plan Amendment
- Rezoning
- Vacation of Easements
- Minor Subdivision
- Permitted Use Standards Permit

pertaining to the following described property lying and being in the Town of White Bear, Ramsey County, Minnesota:

Commencing at the center of Section 22, thence East on the quarter line 864.66 feet; thence at an angle of 108 degrees, 47 minutes to a line 100 feet from the point of beginning; thence continuing on said course 75 feet; thence northeasterly at right angles 236.69 feet; thence at right angles southeasterly 155.05 feet; thence west 250 feet to the beginning in the northeast quarter of Section 22, Township 30, Range 22, Ramsey County, Minnesota

(4336 Otter Lake Road)

and to pass upon objections and recommendations, if any, and to conduct any and all business incident thereto.

Given under my hand this 6th day of July, 2017.

BY ORDER OF THE TOWN BOARD OF SUPERVISORS

WILLIAM F. SHORT, Clerk-Treasurer



1858
RAMSEY COUNTY
MINNESOTA

1281 HAMMOND ROAD
WHITE BEAR TOWNSHIP, MN 55110

651-747-2750
FAX 651-426-2258
Email: wbt@whitebeartownship.org

Board of Supervisors
ROBERT J. KERMES, *Chair*
ED M. PRUDHON
STEVEN A. RUZEK

July 27, 2017

Township Property Owner
White Bear Township, Minnesota

Re: Vacation of Easements

Dear Owners:

Enclosed please find a **Public Notice** regarding various requests made by the Water Gremlin Company, one of which is the request to vacate drainage and utility easements.

The Public Hearing on these requests is scheduled for **Monday, August 7, 2017 beginning @ 7:20 p.m. at Heritage Hall, 4200 Otter Lake Road, White Bear Township, Minnesota.**

Also enclosed is a copy of a "draft" Resolution Ordering Vacation of Drainage & Utility Easements which will be considered on the night of the hearing.

If you have any questions please don't hesitate to contact Tom Riedesel, Planner, at 651.747.2761 or via e-mail at tom.riedesel@whitebeartownship.org.

Sincerely,

PATTI WALSTAD
Paralegal

PSW/s
cc:admin/add.file



recycled paper

Parcel ID: 223022130023

Water Gremlin Co
4400 Otter Lake Rd
White Bear Township MN 55110-3761

Parcel ID: 223022130007

Gerald K Hoppe, Joann Hoppe
4336 Otter Lake Rd
White Bear Lake MN 55110-3761

Parcel ID: 223022420005

**Northern States Power Co, Attention Tax
Department**
414 Nicollet Ave
Mpls MN 55401-1927

Parcel ID: 223022130022

Water Gremlin Company
4400 Otter Lake Rd
Saint Paul MN 55110-3761

Parcel ID: 223022130018

Town Of White Bear
1281 Hammond Rd
White Bear Town MN 55110-5898

Parcel ID: 223022130016

State Of Mn Trust Exempt
Po Box 64097
St Paul MN 55164-0097

Parcel ID: 223022420004

Town Of White Bear
1281 Hammond Rd
White Bear Town MN 55110-5898

Parcel ID: 223022420013

Water Gremlin Company
4400 Otter Lake Rd
Saint Paul MN 55110-3761

EXTRACT OF MINUTES OF A MEETING OF THE TOWN
BOARD OF THE TOWN OF WHITE BEAR, MINNESOTA,
HELD ON AUGUST 7, 2017

Pursuant to due call and notice thereof, a Regular meeting of the Town Board of the Town of White Bear, Minnesota, was duly held at Heritage Hall in said Town on Monday, August 7, 2017, at 7:00 p.m.

The following members were present: Kermes, Prudhon, Ruzek; and the following members were absent: None.

The Chair called to order the Hearing to Vacate Drainage & Easements and the Clerk presented an Affidavit showing publication of the Notice of Hearing to Vacate Drainage & Utility Easements in the Town of White Bear, Ramsey County, Minnesota, in the official newspaper of the Town, and an Affidavit of Posting, all in accordance with a Resolution adopted July 6, 2017, which Affidavits were examined, found satisfactory and ordered placed on file.

Supervisor Prudhon introduced the following Resolution and moved its adoption:

**RESOLUTION ORDERING VACATION OF
DRAINAGE & UTILITY EASEMENTS**

BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF WHITE BEAR, MINNESOTA:

WHEREAS, the Town Board of Supervisors moved to vacate those certain drainage & utility easements;

AND WHEREAS, the hearing on said petition was preceded by two weeks published and posted notice;

AND WHEREAS, there was no appearance in opposition to said petition;

AND WHEREAS, it appears for the interest of the public that said drainage & utility easements be vacated;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF WHITE BEAR, MINNESOTA:

That the drainage & utility easements in the Town of White Bear, described as follows:



4

PERMITTED USE STANDARDS APPLICATION FORM

INTRODUCTION

All permitted uses outlined in the Zoning Ordinance, Section 6-4, with the exception of single family dwellings and their accessory buildings are required to meet the standards set forth in Section 9-3, Permitted Use Standards Procedure of the Zoning Ordinance.

APPLICANT(S) Carl Dubois
Water Gremlin Company

PHONE (Home) _____
(Business) 651-209-9404
(Cell) _____

ADDRESS 4400 Otter Lake Rd
White Bear Township, MN 55110

PROPERTY OWNER Water Gremlin Company

ADDRESS OF SITE 4316 Otter Lake Rd

ZONING I-1 Light Indust.

EXISTING USE OF SITE Industrial / Manufacturing facility

DESCRIPTION OF PERMITTED USE REQUESTED To construct an addition to the 4316 Otter Lake Rd. building to accommodate Water Gremlin's growth.

x Fee (\$75.00 plus \$200.00 Expense Deposit)

CHECKLIST:

x Site Plan – 15 full-sized copies (larger than 11 x 17) and one reduced size (8 ½ x 11)

x Existing conditions (all buildings, open space, retention areas, utility areas, service areas, and storage areas).

x Site improvements (proposed locations of buildings, parking areas, drives, fences, walls, signs, lighting, walkways, patios, decks and barriers).

- ___ 9. The proposal is consistent with the Comprehensive Plan and complies with other Ordinances.
- ___ 10. Will not result in unusual maintenance or repair costs of road, parking areas or utility lines.
- ___ 11. The maximum number of trees will be preserved.
- ___ 12. The type and density of land use proposed will be suited to site conditions.
- ___ 13. The proposed use will be designed, sited, oriented, and landscaped to produce a harmonious relationship with building and properties in the neighborhood.
- ___ 14. The site will be landscaped to screen undesirable features and enhance the development.

It is the policy of White Bear Township that all identifiable costs associated with Permitted Use Standards Permits within the Township shall be the sole responsibility of the owner of said property. The costs shall include, but are not limited to: Township planning review costs (reports, meetings, site review); engineering review costs; legal costs, (preparation of hearing notices, legal research, certification costs); publication costs (notice of hearing); reapportionment of assessments (engineers report); mailings and Ownership Reports (ownership/encumbrance).

Prior to the final approval by the Town Board, all Township expenses to date shall be paid by the owner. Subsequent expenses not paid at the time of final approval (due to billings by consultants, etc.), shall be due upon receipt of a billing from the Township.

Care T Dubow

Signature of Applicant(s)

June 1, 2017
Date

<u>To Be Completed By Office:</u>			
Date Request Received	_____		
By _____ (Staff Member)	\$75.00 Fee + \$200 Deposit Received	<input type="checkbox"/>	Yes
		<input type="checkbox"/>	No
Date Application Complete	_____		

EXHIBIT

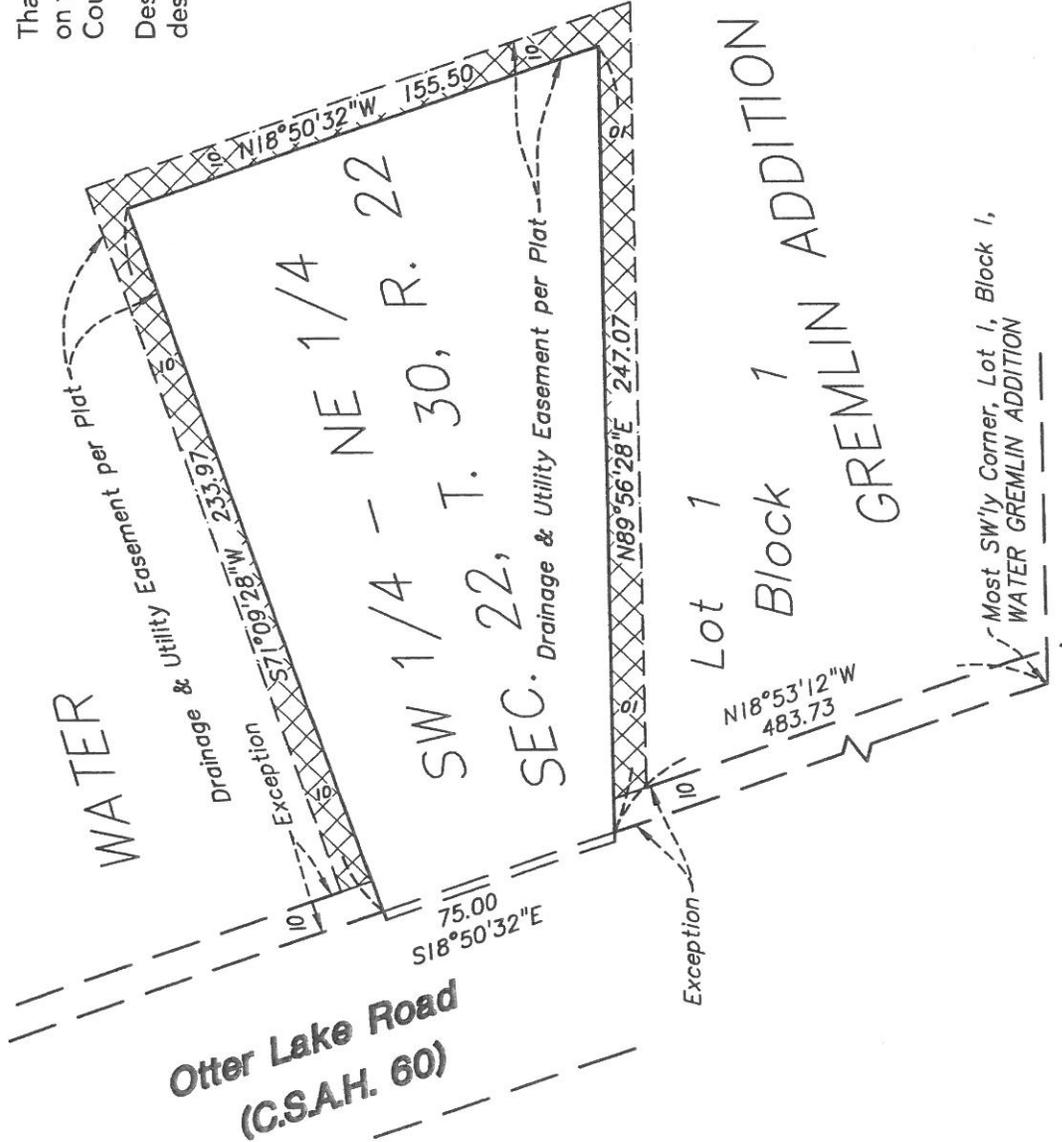
Description for Drainage and Utility Easement Vacation

That part of the Drainage and Utility Easement as dedicated on the plat of WATER GREMLIN ADDITION, Ramsey County, Minnesota

Described as lying 10.00 feet to the right of the following described line:

Commencing at the most southwesterly corner of Lot 1, Block 1, WATER GREMLIN ADDITION, Ramsey County, Minnesota; thence on an assumed bearing of North 18 degrees 53 minutes 12 seconds West along a southwesterly line of said Lot 1, also the northeasterly line of Otter Lake Road as dedicated in said WATER GREMLIN ADDITION, a distance of 483.73 feet to a corner of said Lot 1 and the point of beginning of the line to be described; thence North 89 degrees 56 minutes 28 seconds East, along a north line of said Lot 1 a distance of 247.07 feet to a corner of said Lot 1; thence North 18 degrees 50 minutes 32 seconds West along a southwesterly line of said Lot 1 a distance of 155.50 feet to a corner of said Lot 1; thence South 71 degrees 09 minutes 28 seconds West along a southerly line of said Lot 1 a distance of 236.69 feet to a corner of said Lot 1 and the right of way of said Otter Lake Road and said line there terminating.

EXCEPT the southwesterly 10.00 feet of said Lot 1 adjacent to said Otter Lake.



EASEMENT TO be VACATED

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Henry D. Nelson
Henry D. Nelson - PLS

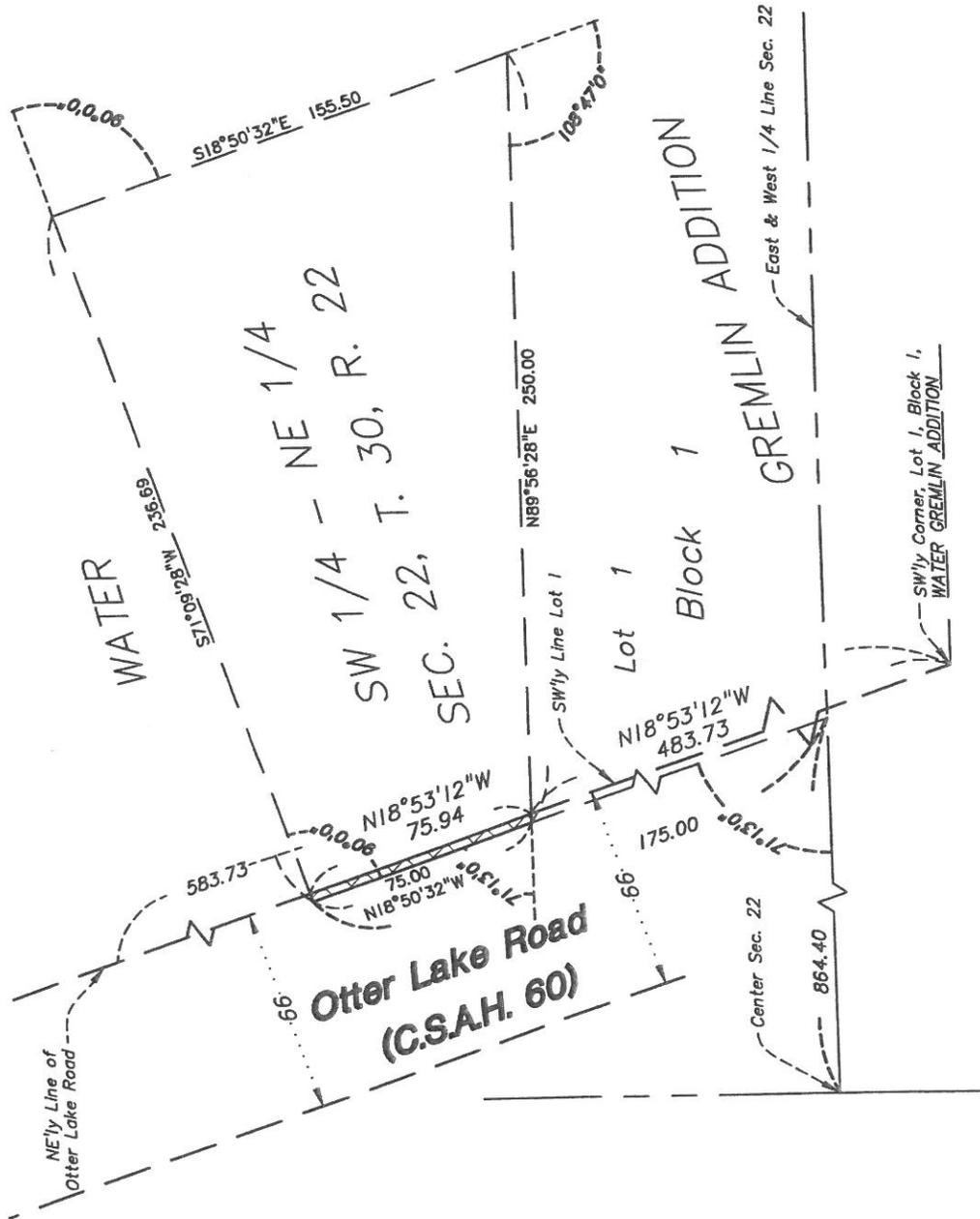
License No. 17255
Date 06/01/2017

PLANNING
CIVIL ENGINEERING
LAND SURVEYING
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL

© 2017

LOUCKS
7200 Hemlock Lane, Suite 300
Maple Grove, MN 55369
763.424.5505
www.loucksinc.com

EXHIBIT B



I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Henry D. Nelson
 Henry D. Nelson - PLS
 License No. 17255
 Date 06/01/2017

PROJECT NUMBER: 14124
 DRAWN BY: NRS
 SHEET NUMBER 2 OF 2

PLANNING
 CIVIL ENGINEERING
 LAND SURVEYING
 LANDSCAPE ARCHITECTURE
 ENVIRONMENTAL

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LOUCKS
 7200 Hemlock Lane, Suite 300
 Maple Grove, MN 55369
 763.424.5505
 www.loucksinc.com

PROJECT NARRATIVE

Water Gremlin – South Campus Warehouse Expansion
4316 Otter Lake Road
White Bear Township, MN

Prepared By:
Edward Farr Architects & Loucks
for
White Bear Township
May 31, 2017

Introduction

Edward Farr Architects and Loucks, on behalf of Water Gremlin, are pleased to submit this project narrative in support of our application for a proposed addition to the existing warehouse building located at 4316 Otter Lake Rd. We are applying for: Permitted Use Standards, Comprehensive Plan Amendment, Petition to Rezone and Petition of Vacation of Easements. The proposed schedule is to start construction this fall (2017) be operational by fall of 2018.

Project Description

Water Gremlin is proposing a new Warehouse / Manufacturing addition to its existing South Campus facility located along Otter Lake Road. This project includes the purchase and redevelopment of a single family lot at 4336 Otter Lake Rd. The residential lot requires a minor Comprehensive Plan Amendment, Rezoning and Vacation of Easements. We will go through a simple lot consolidation process to include this property within the greater Water Gremlin campus property. Water Gremlin's total property area, inclusive of the new residential parcel, will become approx. 21.1 acres; the South Campus portion (south of Lambert Creek) is 10.8 ac.

The addition is, in general, a duplication of the existing facility. It has a 72,000 square foot footprint (300' long x 240' deep), plus a 6,000 square foot mezzanine, equaling 78,000 square feet. When added to the first phase building area, the total building footprint will become 144,000 square feet (600' long x 240' deep); and the grand total interior floor area will become 163,000 square feet. This addition was originally contemplated at the time of the first phase development (2012), and has not materially changed since then. The proposed addition will match the height of the existing building (31 feet tall on three sides and 35 feet tall at the rear dock).

The building addition will be constructed using the same low-maintenance exterior materials used on the first phase, including: architectural precast concrete wall panels with an exposed natural stone aggregate finish, tan colored factory-finished aluminum window framing with evergreen color insulated glass, entrance accent feature using prefinished metal canopies, and re-colored white accent stripes around the building. The change in accent stripe color is being done to better match the new façade design of the adjacent headquarters building, remodeled in 2016.

Vehicle parking will be at the front of the building facing Otter Lake Road with the loading docks located in the rear. Parking is being provided to accommodate Water Gremlin's employees and visitors; additional 'proof-of-parking' is shown on the site plan to demonstrate how additional parking could be added if needed to meet township code. No new driveways off

of Otter Lake Road are needed; in fact, we will be eliminating one driveway access, from the single family residential lot. We propose to create a one-way flow through the parking lot so that all traffic enters the south driveway and exits the north driveway. Since Otter Lake Rd is a county road, we are working with them to get their approval on this item.

Storm water ponding is already provided onsite and will be enlarged to accommodate the additional impervious surface area. Runoff from the roof, parking lot, and loading dock will get to the pond via swales and underground piping. New sanitary sewer service, water supply service, electrical service and gas service will be provided for the addition.

Water Gremlin is proud to be a very low consumer of domestic water service, in keeping with the township's goal to minimize water consumption. Their Headquarters Manufacturing building (4400) consumes 24.5 gal / bldg. sq ft / year; and the South Campus Whse / Mfg building (4316) will consume less than 8 gal / bldg. sq ft / year. On a site usage basis, their entire 21.1 acre campus will use only 6.05 gal / site sq ft / year of water. Low water flow plumbing fixtures will be used to conserve water in the restrooms.

The site will be landscaped to Township code requirements and match the landscaping planting concepts in place, including a variety of over-story deciduous trees, ornamental trees, evergreens, perennials and annuals for year round interest and color. These planting concepts include strategic screening from the road and neighboring properties, including screening the loading area from the White Bear Lake residents east of the marsh.

Site lighting will include LED light fixtures, both wall mounted and on poles, as indicated on the plans; all of which will match the existing building in style and illumination performance.

Applicant:

Water Gremlin
4400 Otter Lake Rd
White Bear Lake, MN 55110
Carl Dubois, Vice President Int'l Manufacturing
Email: carl.dubois@watergremlin.com
Phone: 651-209-9404

Architect:

Edward Farr Architects, Inc.
7710 Golden Triangle Drive
Eden Prairie, MN 55344
Edward Farr, AIA, President
Email: e.farr@edfarrarch.com
Phone: 952-943-9660

Surveyor, Civil Engineer & Landscape Architect:

Loucks
7200 Hemlock Lane, Suite 300
Maple Grove, MN 55369
Nick Mannel, PE, LEED AP BD+C (Civil Engineer)
Email: NMannel@LoucksInc.com
Phone: 763-424-5505



ZONING CERTIFICATE

TOWN OF WHITE BEAR, MINNESOTA

I hereby certify that the real estate situated in the Town of White Bear, Ramsey County, Minnesota, described as follows, to-wit: The East 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 22, Township 30, Range 22, Ramsey County, Minnesota, and commonly known as 4400 Otter Lake Road (south campus); and the East 1/2 of the Northwest 1/4 of the Southeast 1/4 of Section 22, Township 30, Range 22, and the West 1/2 of the Northeast 1/4 of the Southeast 1/2 of Section 22, Township 30, Range 22, and commonly known as 4370 Otter Lake Road, is in a(n) I - 1 Light Industrial District and can be used for the following purpose: Construction of a 72,000 square foot addition onto their new southern campus, all in accordance with the attached Requirements, pursuant to Ordinance No. 35, the Zoning Ordinance for the Town of White Bear, Ramsey County, Minnesota.

Dated: August 7, 2017.

TOWN CLERK

- CONDITIONAL USE PERMIT
- PERMITTED USE
- NON-CONFORMING USE
- SPECIAL HOME OCCUPANCY PERMIT
- OTHER: _____

Permitted Use Standards Permit Requirements

Water Gremlin
4400 Otter Lake Road (south campus)
White Bear Township, MN 55110

This Permitted Use Standards Permit Supersedes the Permitted Use Standards Permit Issued on December 27, 2012

1. The following Plans are adopted as part of this Zoning Certificate:
 - Site Plan A-1 dated 5/31/2017
 - Floor Plan A-2 dated 5/31/2017
 - Exterior Elevation A-3 dated 5/31/2017
 - Perspective Views A-4 dated 5/31/2017
 - Existing Conditions C1-1 dated 6/1/2017
 - Demolition Plan C1-2 dated 6/1/2017
 - Site Plan C2-1 dated 6/1/2017
 - Grading & Drainage Plan C3-1 dated 6/1/2017
 - Stormwater Pollution Prevention Plan C3-2 dated 6/1/2017
 - SWPPP Notes & Details C3-3 dated 6/1/2017
 - SWPPP Notes & Details C3-4 dated 6/1/2017
 - Utility Plan C4-1 dated 6/1/2017
 - Civil Details C8-1 dated 6/1/2017
 - Civil Details C8-2 dated 6/1/2017
 - Landscape Plan L1-1 dated 6/1/2017
 - Lot Consolidation I-1 dated 5/31/2017
 - Title Sheet dated 12/10/12
 - Preliminary Removals Plan dated 12/10/12
 - Preliminary Site Plan dated 12/10/12
 - Preliminary Grading & Stormwater Pollution Prevention Plan dated 12/10/12
 - Preliminary Stormwater Pollution Prevention Plan dated 12/10/12
 - Preliminary Utility Plan dated 12/10/12
 - General Details Plan dated 12/10/12
 - Preliminary Landscape Plan dated 12/10/12
 - Landscape Details dated 12/10/12
 - First Floor Plan A 2.1 dated 11/1/12
 - Mezzanine Floor Plan A 2.2 dated 11/1/12
 - Elevation Plan A 5.1 dated 11/1/12
2. No tree removal shall take place during the months of May or June unless a tree removal plan which includes root graft severing is approved by Staff. This requirement is adopted to avoid oak wilt disease.
3. The required fire sprinkler system must be monitored by an approved control station monitoring company.

4. All rooftop mechanical shall be screened in a manner which compliments the building.
5. Building mounted lighting shall be concealed source type and shall not project glare onto adjacent properties.
6. Parking lot lighting shall consist of structures which shall not project glare onto adjacent properties, and shall be a box type reflector using high pressure sodium lights or LED lighting ~~so as not to glare onto adjacent properties.~~ (Downward reflection, no lateral reflection.)
7. All signs shall meet Town Ordinance requirements.
8. Any monument sign shall include the Town logo or the wording "White Bear Township" on the sign.
9. No employee parking shall be allowed on Whitaker Avenue or Otter Lake Road.
10. All pond outlets shall be located so that they are not in any wetland areas.
11. No construction equipment or dumpsters shall be located on Whitaker Avenue or Otter Lake Road.
12. Emergency exit-way lighting shall be required in the building.
13. All parking lot paving shall be located outside of drainage and utility easements.
14. That all drainage areas on the premises shall be in compliance with the Vadnais Lake Area Water Management Organization's rules and regulations.
15. All quality trees which must be removed as a result of construction of the new building and are of a size which can be moved by a tree spade, shall be relocated on the Water Gremlin site or relocated within a Township park. Town staff shall review and approve the relocation of quality trees to be relocated.
16. An approved fire department lock box shall be provided by the owner.
17. Ponding easements shall be provided to the Town over the holding ponds.
18. Tree protective fencing as shown on the approved Landscaping Plan shall be installed at locations reviewed and approved by staff before grading may begin.

19. Drainage and utility easements shall be provided along the right-of-way side of 4336 Otter Lake Road when acquired.
20. Water system demands must be submitted for review.
21. Confirm that the storm sewer between FES 1 and CBMH 2 has sufficient cover where it crosses the concrete sidewalk.
22. Install a drop where the sanitary sewer connects to the existing manhole, to bring the invert elevation to within 1.5' of the lowest invert.
23. Label the proposed watermain size and pipe type.
24. An underdrain system for the rain garden is recommended to achieve the modeled filtration rate. If an underdrain system is not incorporated, the HydroCAD model should be revised with no exfiltration outlet device in Node 5P.
25. Approval of a driveway permit(s) to connect the parking lot to Otter Lake Road shall be approved by Ramsey County.
26. Applicant shall meet all other requirements imposed by Ramsey County.
27. All Federal and State statutes, rules and regulations and all local Ordinances shall be complied with.

Previously Satisfied

19. The following requirements of the Town Engineer shall be adhered to:
 - Applicant to provide a copy of the project specifications
 - Applicant to provide a traffic control plan for potential lane closures of Otter Lake Road
 - Regarding Sheet 3 -
 1. Very large areas are being concentrated onto silt fence. Provide j-hooks or other means to reduce flow along silt fence boundary.
 2. Final erosion control approval subject to Vadnais Lake Area Water Management Organization.
 - Regarding Sheet 5 -
 1. Provide legal documentation for private property storm sewer encroachment.
 - Regarding Sheet 6 -
 1. Provide legal documentation for private property storm sewer encroachment.

TR/psw
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b:watergremrequirements



**Town Board Meeting
August 7, 2017**

Agenda Number: 7C – New Business

Subject: 7:45 p.m. Public Hearing – Ordinance No. 35 Amendments
– Consider Amending Section 6-2 – District Purposes, Section 6-4 – Permitted Uses, Section 6-5 Conditional Uses & Table 7-1 Establishing the Adult Entertainment Zone

Documentation: Staff Memo
Notice of Hearing
Affidavit of Publication

Action / Motion for Consideration:

Town Planner Report at Meeting / Discuss

At Staff's Request Continue Tonight's Public Hearing to Monday, September 18, 2017 at 7:10 p.m., to Allow for Publication of a Notice Which proposes the amendments to Section 3 (Definitions) and the Addition of 7-19 (Adult Uses & Sexually Oriented Businesses).

MEMORANDUM

TO: TOWN BOARD
FROM: PATTI WALSTAD
DATE: AUGUST 3, 2017

SUBJECT: CONTINUATION OF HEARING

In conjunction with the creation of the new zoning districts which will establish the adult use zone, various definitions and a special section also need to be added to Ordinance No. 35.

The notice that was published amending Ordinance No. 35 only contains references to the newly created zoning districts, and not the definitions and special section.

Requested Action:

Staff is requesting that the Public Hearing be continued to Monday, September 18, 2017 at 7:10 p.m., to allow for publication of a notice which proposes the amendments to Section 3 (definitions) and the addition of 7-19 (Adult Uses & Sexually Oriented Businesses).

PSW/s



NOTICE OF HEARING TO AMEND ORDINANCE NO. 35 (ZONING) OF THE TOWN OF WHITE BEAR, RAMSEY COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN, That the Town Board of Supervisors of the Town of White Bear, Ramsey County, Minnesota, will meet at Heritage Hall, 4200 Otter Lake Road, in said Town on Monday, August 7, 2017, at 7:45 p.m., to consider amending Section 6-2 – District Purposes, Section 6-4 – Permitted Uses, Section 6-5 Conditional Uses, & Table 7-1, and to hear and pass upon objections and recommendations, if any, and to conduct any and all business incident thereto.

Given under my hand this 6th day of July, 2017.



WILLIAM F. SHORT, Clerk-Treasurer

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Carter Johnson, being first duly sworn, on oath states as follows:

- 1. I am the publisher of the WHITE BEAR PRESS, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant of Minnesota Statutes §331A.07.
2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.
3. The dates of the month and the year and day of the week upon which the public notice attached was published in the newspaper are as follows:

Once a week, for one week, it was published on Wednesday, the 26th day of July, 2017.

- 4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to §331A.06, is as follows:

- a) Lowest classified rate paid by commercial users for comparable space
b) Maximum rate allowed by law for the above matter
c) Rate actually charged for the above matter \$ 16.07/inch

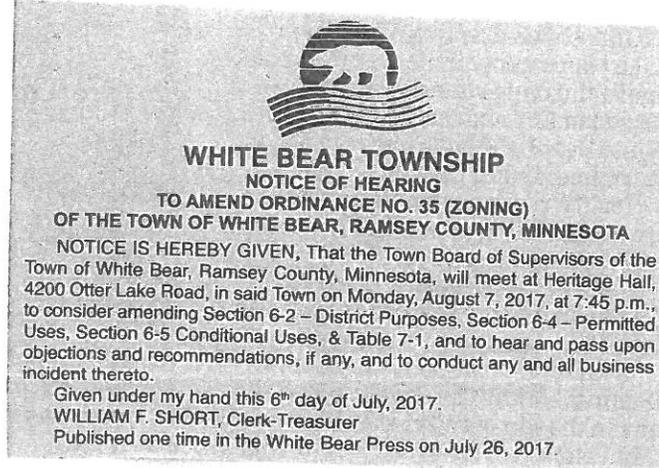
- 5. Mortgage Foreclosure Notices. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in Ramsey County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

FURTHER YOUR AFFIANT SAITH NOT.

BY: [Signature]
TITLE: Carter Johnson, Publisher

Subscribed and sworn to before me on this 26th day of July, 2017.

[Signature]
Notary Public





**Town Board Meeting
August 7, 2017**

Agenda Number: 7D – New Business

Subject: 7:55 p.m. Public Hearing Continuation – Southwind Holdings, LLC, 5960 Highway 61 – Request for Conditional Use Permit to Allow Conversion of the Car Wash to a Liquor Store & Related Site Improvements

Documentation: Town Planner Memos w/ map
Conditional Use Permit Application Form w/attachments
Public Notice / Resident Letter / Mailing List / Map
Affidavit of Publication
Proposed Conditional Use Permit

Action / Motion for Consideration:

- Note Proper Publication of Hearing Notice in Newspaper & Waive Reading of Notice
- Open Public Hearing
- Open Public Comment Portion – Ask for Comments
- Close Public Portion of Hearing

Based on Planning Commission & Staff Review & Recommendation Approve the Conditional Use Permit with Attached Requirements for Southwind Holdings LLC, 5960 Highway 61, to Allow Conversion of the Car Wash to a Liquor Store & Related Site Improvements

MEMORANDUM

TO: PLANNING COMMISSION
FROM: TOM RIEDESEL
DATE: APRIL 18, 2017 UPDATED MAY 17, 2017, JULY 20, 2017

SUBJECT: BALD EAGLE QUICK STOP – SITE & BUILDING MODIFICATIONS

REQUEST: CONDITIONAL USE PERMIT
LOCATION: 5960 HIGHWAY 61
APPLICANT: SOUTHWIND HOLDINGS, LARRY ALM
ZONING: B-2 , GENERAL BUSINESS

Southwind Holdings is requesting approval of a Conditional Use Permit which would allow them to relocate their existing liquor store from the Bald Eagle Quick Stop building to the carwash building. The car wash would be eliminated if the new Conditional Use Permit is approved. The space currently occupied by the liquor store would be converted to a coffee shop or similar use. Other site modifications proposed include: adding 3 parking stalls to the Highway 61 side of the carwash building; adding two more parking stalls between the coffee shop and liquor store; and relocating one of the two pylon signs. An existing storage shed located behind the proposed coffee shop will be removed.

The previously reviewed plan proposed a drive thru window. The drive thru has been eliminated with the updated proposal. The previous plan relocated the access drive between the Quick Stop site and Priesler Roofing. This lane is now proposed to be eliminated.

The property is zoned B-2, General Business. A coffee shop (restaurant) and convenience store are listed as Permitted Uses in the B-2 Zone. An off-sale liquor store requires approval of a Conditional Use Permit. The existing liquor store was approved by the Town in 1999.

The conversion of the car wash to a liquor store will include exterior modifications so it will have the same façade as the Quick Stop building. The existing garage doors on the front of the building will be removed and converted to glass. A deck is proposed to be added to the north side of the building. On the rear of the building, one of the garage doors will be filled with block to match the building. The remaining garage door will stay. Two new service doors will be added to the building. Two sides of the building are proposed to have hardi board siding with the two remaining sides continuing to use concrete block. A stormwater treatment pond is also proposed to be modified.

With the proposed addition of the coffee shop and relocation of the liquor store, the use of the property will increase. Parking must be reviewed. A total of 5 new parking stalls are proposed. Parking standards are listed in the Zoning Ordinance. The following summarizes the requirements:

Convenience Store including "coffee shop area: =	5 parking stalls/1,000 square feet gross floor area (3,000 square feet)	=	23 stalls
Sales & Services = (scuba, hair salon & cupcake maker)	1 space per 200 square feet leasable area on ground floor (approx. 4,000 sq.ft)=		20 stalls
Liquor Store =	1 space per 200 square feet leasable area on ground floor (approx. 2,128 sq.ft)=		11 stalls
	Total	=	54 spaces required

A total of 51 off street parking stalls are proposed for the site with the requested modifications. Based on Ordinance requirements, this quantity is less than required by the Zoning Ordinance. It must be noted that parking requirements are not necessarily for the exact use proposed but similar uses. Staff reviewed other communities parking requirements and found that they vary.

When looking at the current uses on the property, the parking is more than adequate. The relocation of the liquor store will not increase the parking demand significantly. The coffee shop could be a source of significant parking demand, depending upon who locates there. At this time Mr. Alm is not looking at a heavy traffic/parking user such as Caribou or Starbucks. Mr. Alm is removing the storage building behind the "proposed coffee shop". Additional parking stalls could be added in that location or required as proof of parking.

When reviewing a Conditional Use Permit, the following standards must be satisfied prior to approval.

9-4.4(a). The proposed use shall be planned, designed, constructed and maintained to avoid:

- (1). Unnecessary detracting from the appearance of adjacent properties or from the Town as a whole.
- (2). Aesthetic incompatibility.
- (3). Aural Incompatibility.
- (4). Damage to vegetation.
- (5). Traffic pattern incompatibility.

- (6). Erosion of soil.
- (7). Unnecessary loss of existing natural features (vegetation, steep slopes, wetlands, water bodies).
- (8). Increased flood potential.

9-4.4(b). The proposed use shall meet all reasonable requirements, as set forth by the Town Board, in order to protect the health, safety and welfare of the Town. Uses proposed for "O-S" Open Space districts shall provide for a level of police protection and civilian supervision as set forth by the Town Board to ensure supervision and maintenance of said districts.

9-4.4(c). Fire prevention and fighting equipment acceptable to the Board of Fire Underwriters and Town Board shall be readily available when any activity involving the handling or storage of flammable or explosive materials is carried on.

9-4.4(d). The proposed use shall bear the cost of all additional water availability (W.A.C.) charges, pursuant to Ordinance No. 12 (Regulating Use of Water), and sewer availability (S.A.C.) charges, pursuant to Ordinance No. 36 (Sewer Service Availability and Charges), where the proposed use expands upon a pre-existing use.

9-4.4(e). The proposed use shall not result in the destruction, loss or damage of a natural, scenic, environmental or historic feature of the Town.

9-4.4(f). The proposed use shall not depreciate the value of adjacent properties.

9-4.4(g). The proposed use shall be sited, oriented, designed, landscaped and maintained to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.

9-4.4(h). The proposed use shall organize vehicular access and parking to minimize traffic congestion to adjacent properties.

9-4.4(i). The proposed use shall preserve and incorporate the site's natural and scenic features into the development design.

9-4.4(j). The proposed use shall have no negative impact of noise, glare or odor effects on adjacent properties.

9-4.4(k). The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the policy and plan recommendations of the

Comprehensive Plan.

Recommendation:

Staff recommends approval of the Conditional Use Permit subject to the following:

1. Provision of 3 additional parking spaces or proof of parking. If proof of parking is proposed, the Town shall review a Permitted Use Standards Permit or Conditional Use Permit if applicable prior to occupancy by a tenant in the “proposed new coffee shop” space.
2. Trash enclosures must be constructed using 100% opaque materials which complement the building.
3. All requirements of MnDOT.
4. All requirements of the Town Fire Inspector.
5. All requirements of the Town Engineering including:
 - confirmation that no drainage patterns are changing
 - confirmation that the impervious area is consistent with the original design

TR/psw
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b:quickstop17

MEMORANDUM

TO: TOWN BOARD
FROM: TOM RIEDESEL
DATE: JUNE 2, 2017

SUBJECT: BALD EAGLE QUICK STOP

Bald Eagle Quick Stop is requesting approval of a Conditional Use Permit which would allow the relocation of their liquor store from the current location to the car wash building. Several other site upgrades are also planned.

At the May Planning Commission meeting, the Planning Commission recommended denial of the Conditional Use Permit as requested due to inconsistencies with the site plan and the actual development of the site. Mr. Alm was not available for the May Planning Commission Meeting.

A Planning Commission action was necessary due to the 60-day review requirements.

Staff spoke with Mr. Alm after the Planning Commission meeting. He has agreed to get a survey of the site and make some plan modifications. He is waiving the 60-day review requirements in order to provide an updated site plan.

Staff recommends continuing the hearing until the July 5th meeting and requests the Board to direct review of the Conditional Use Permit back to the Planning Commission for additional review in June.

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b:alm

MEMORANDUM

TO: PLANNING COMMISSION
FROM: TOM RIEDESEL
DATE: JUNE 15, 2017

SUBJECT: BALD EAGLE QUICK STOP

REQUEST: CONDITIONAL USE PERMIT TO RELOCATE EXISTING LIQUOR STORE

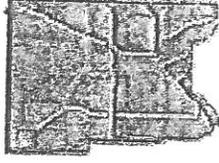
The Town Board held the Public Hearing for this proposal at their June 5th meeting. The Planning Commission reviewed the proposal at the April and May meetings and recommended denial of the Conditional Use Permit due to discrepancies between the proposed site plan and actual site.

Based on staff recommendation, the Town Board continued the Public Hearing until July 5th and directed review of the proposal back to the Planning Commission for additional review.

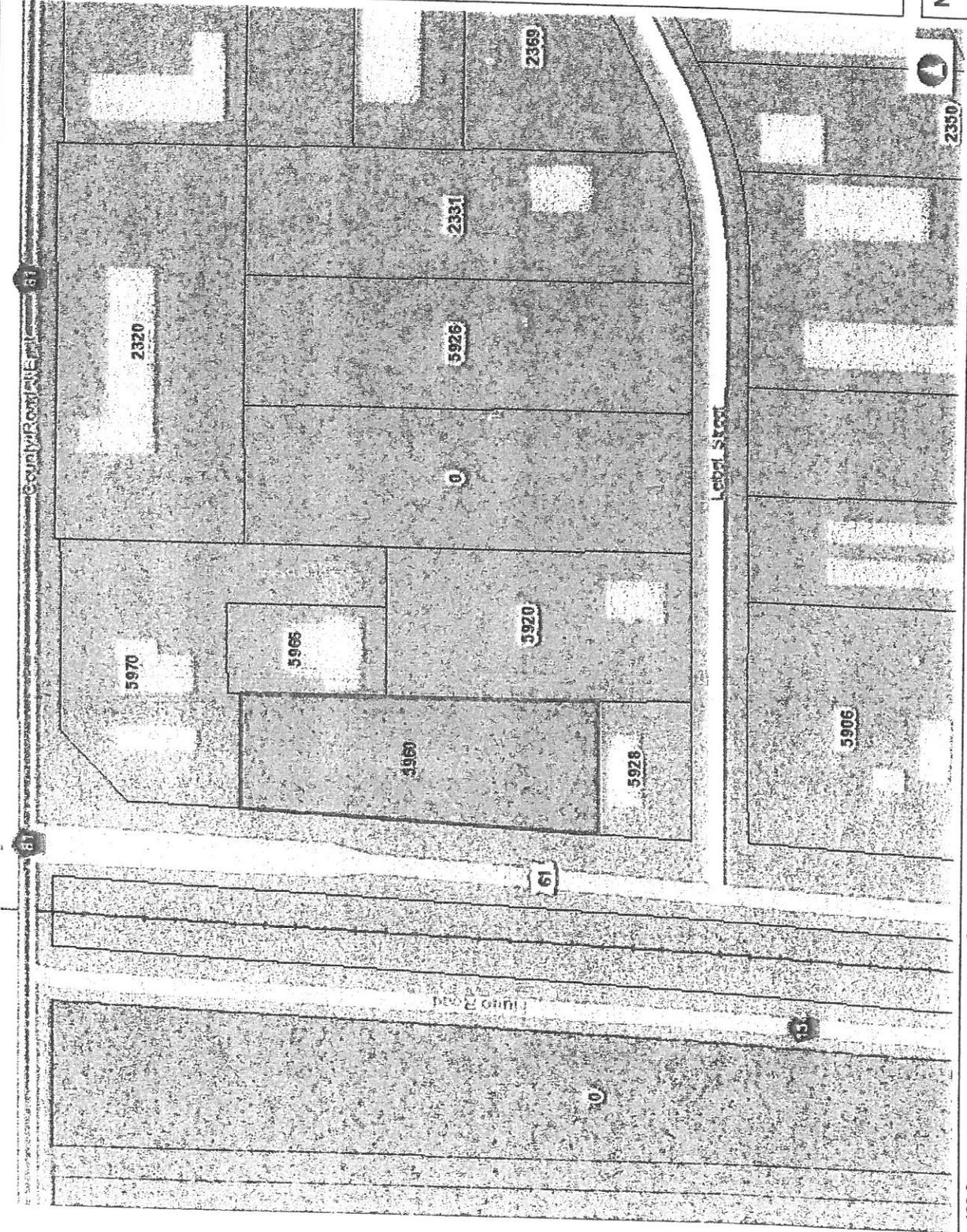
Mr. Alm has hired E.G. Rud to survey the site and provide an updated layout. Staff is currently waiting for the updated plan and will provide an updated memo when received.

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b:pcmemo

Legend



- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries
- Airports



Notes

Enter Map Description

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be

400.0 Feet

200.00

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CONDITIONAL USE PERMIT APPLICATION FORM

INTRODUCTION

A Conditional Use Permit may be granted or denied by the Town Board after recommendation by the Planning Commission in accordance with Ordinance No. 35 (Zoning), Section 9-4, Conditional Use Permit Procedure.

APPLICANT(S) Southward Hldgs PHONE (Home) 657-773-8780
(Business) _____
(Cell) 612-270-5657

ADDRESS 2372 Leibel St.
White Bear Twp Nw 53710

PROPERTY OWNER Same

ADDRESS OF SITE 5960 Hwy 61 ZONING Com
Same

EXISTING USE OF SITE Liquor Store

DESCRIPTION OF CONDITIONAL USE BEING REQUESTED

Fee (\$75.00 plus \$200.00 Expense Deposit)

CHECKLIST:

_____ Site Plan

_____ Building locations (dwelling, garage, accessory building).

_____ Site improvements (parking areas, drives, sidewalks, fences, decks, lighting, etc.).

_____ Yard (front, side, rear setbacks).

_____ Wetlands (delineation of streams, water bodies, wetlands & 100 year storm elevation).

_____ Existing trees (6 inch in diameter or more), large shrubs & proposed landscaping.

_____ Location of site, with adjacent land use.

_____ Topography, grading.

- _____ Schedule (when applicant intends to construct)
- _____ Additional information, if required.
- _____ Permits or written comments from other agencies (DNR, RCWD, VLAWMO, Ramsey County, MNDot, US Army Corps of Engineers.
- _____ Certificate of Survey, or full legal description
- _____ Building plans (size, intended use of structures, exterior finishes, floor plans and elevations).

REVIEW PROCESS:

1. Submit 15 copies of application and all supporting information to Town Planner (minimum of 3 weeks prior to Planning Commission Meeting).
2. Planning Commission _____ (4th Thursday of the month @ 7:00 p.m. at the Town Hall).
3. Town Board _____ (1st Monday of the following month @ 7:00 p.m. at the Town Hall)
(Call Public Hearing)
4. Town Board _____ Public Hearing
5. Town Board _____
(Action subject to Public Hearing Schedule)

STANDARDS:

The Town Board will approve a Conditional Use Permit only if the following facts are established:

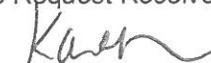
- _____ 1. There will be no detracting from the appearance of adjacent properties, or Town as a whole.
- _____ 2. There will not be aesthetic incompatibility.
- _____ 3. There will not be aural incompatibility (noise).
- _____ 4. There will not be damage to vegetation.
- _____ 5. Traffic patterns will not be negatively affected.
- _____ 6. There is no unnecessary loss of existing natural features.
- _____ 7. Will not cause soil erosion.
- _____ 8. Will not increase flood potential.
- _____ 9. The proposal is consistent with Comprehensive Plan and complies with other Ordinances.

It is the policy of White Bear Township that all identifiable costs associated with Conditional Use Permits within the Township shall be the sole responsibility of the owner of said property. The costs shall include, but are not limited to the following: Township planning review costs (reports, meetings, site review); engineering review costs; legal costs (preparation of hearing notices, legal research, certification costs); publication costs (notice of hearing); reapportionment of assessments (engineers report); mailings and Ownership Reports (ownership/encumbrance).

Prior to the final approval by the Town Board, all Township expenses to date shall be paid by the owner. Subsequent expenses not paid at the time of final approval (due to billings by consultants, etc.) shall be due upon receipt of a billing from the Township.


Signature of Applicant(s)

4-6-17
Date

<u>To Be Completed By Office:</u>		<u>CR # 4710</u>
Date Request Received	<u>4/6/17</u>	
By <u></u> (Staff Member)	\$75.00 Fee + \$200 Deposit Received	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Date Application Complete	_____	



NOTICE OF HEARING REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW RELOCATION OF THE EXISTING LIQUOR STORE TO THE CARWASH BUILDING & OTHER SITE IMPROVEMENTS IN THE TOWN OF WHITE BEAR, RAMSEY COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN, That the Town Board of the Town of White Bear, Ramsey County, Minnesota, will meet at Heritage Hall in said Town on Monday, June 5, 2017 @ 7:20 p.m., to consider the request of the granting of a Conditional Use Permit to allowing the relocation of the existing liquor store to the carwash building & other site improvements in the area lying and being in the Town of White Bear, Ramsey County, Minnesota, described as follows:

Lot 7, Robert G. Mackay's Bald Eagle Garden Lots, subject to highway and except the South 128.5 feet thereof

(5960 Highway 61 – Bald Eagle Quick Stop)

and to hear and pass upon objections and recommendations, if any, and to conduct any and all business incident thereto.

Given under my hand this 1st day of May, 2017.

A handwritten signature in black ink, appearing to read "W. Short", written over a horizontal line.

WILLIAM F. SHORT, Clerk-Treasurer



**WHITE BEAR
TOWNSHIP**

1858
RAMSEY COUNTY
MINNESOTA

1281 HAMMOND ROAD
WHITE BEAR TOWNSHIP, MN 55110

651-747-2750

FAX 651-426-2258

Email: wbt@whitebeartownship.org

Board of Supervisors

ROBERT J. KERMES, *Chair*

ED M. PRUDHON

STEVEN A. RUZEK

May 25, 2017

Township Resident
White Bear Township, Minnesota 55110

Dear Interested Property Owner:

Enclosed for your information please find a **Notice of Hearing Request for a Conditional Use Permit to Allow Relocation of the Existing Liquor Store to the Carwash Building & Other Site Improvements in the Town of White Bear, Ramsey County, Minnesota.**

Southwind Holdings, is requesting approval of a Conditional Use Permit to allow the relocation of the existing liquor store to the carwash building and to allow other site improvements to his strip center at 5960 Highway 61.

The Public Hearing on the matter has been scheduled for **Monday, June 5, 2017, at 7:20 p.m. @ Heritage Hall, 4200 Otter Lake Road, White Bear Township, Minnesota.**

If you would like to know more about the proposal and/or would like to give public comment, please plan to attend the meeting.

If you have any questions but are unable to attend the meeting, please contact Tom Riedesel, Town Planner, at 651.747.2761 or via e-mail at tom.riedesel@whitebeartownship.org.

Sincerely,

PATTI WALSTAD

Paralegal

PSW/s

Enc.

cc:admin/add.file

b:southwind17



recycled paper

Parcel ID: 013022220005

Brian L Preisler Prop Llc
3529 Highland Ave
White Bear Lake MN 55110-5309

Parcel ID: 013022220024

Inc Holiday Stationstores, Tax Department
4567 American Blvd W
Minneapolis MN 55437-1123

Parcel ID: 013022220019

Prc-wbms, Llc
4530 W 77th St Ste 345
Minneapolis MN 55435-5012

Parcel ID: 013022220014

Por-mkr Real Estate Llc
101 10th St E Ste 300
Hastings MN 55033-2157

Parcel ID: 013022220004

Southwind Holdings Llc
2372 Leibel St
White Bear Township MN 55110-2308

Parcel ID: 013022220012

Michalski Land Co Llc
2320 County Road J E
White Bear Lake MN 55110-1000

Parcel ID: 013022220023

Fmb Properties Llc
5966 Hwy 61 N
White Bear Lake MN 55110-2370

Parcel ID: 013022220021

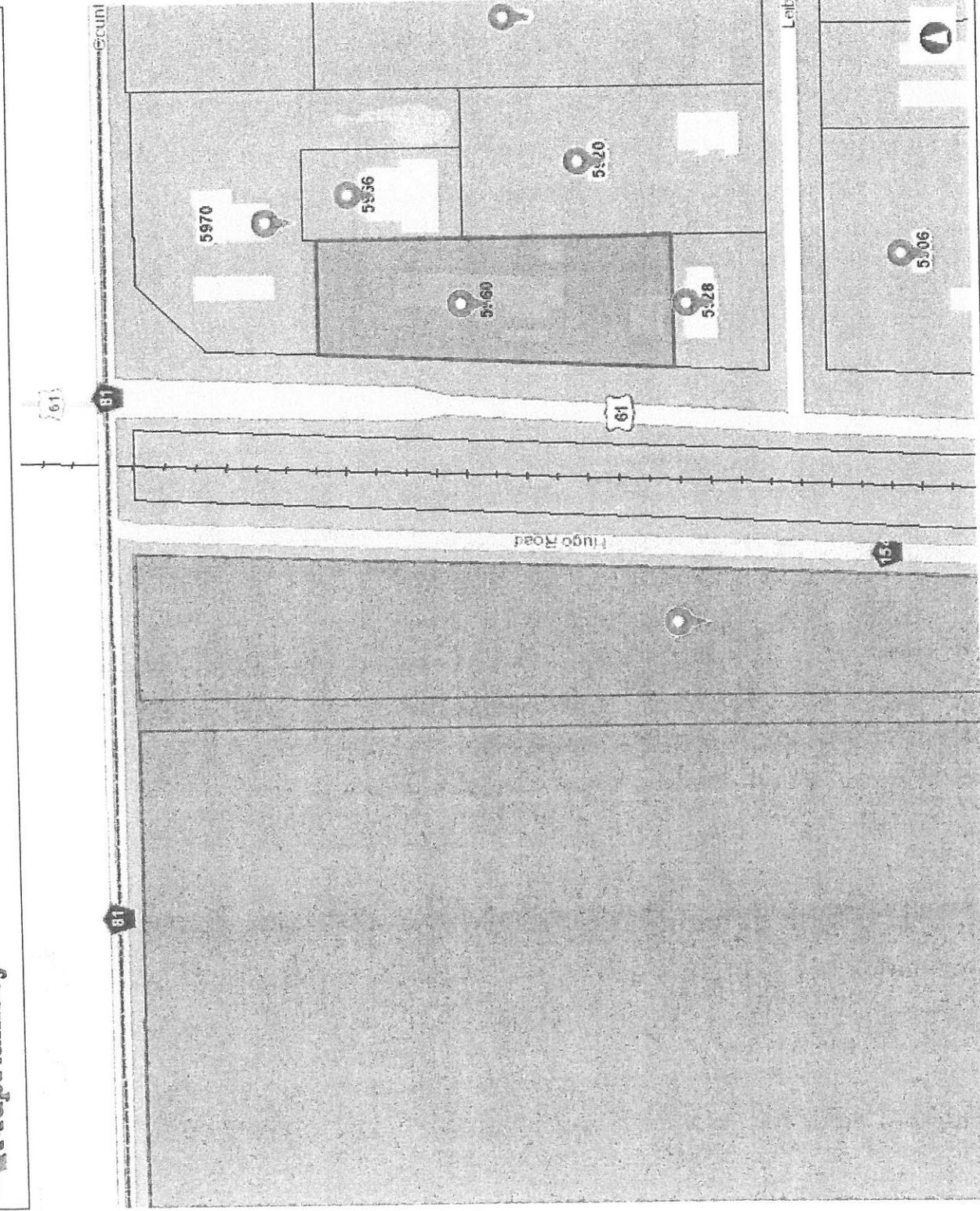
Steven C Parenteau, Colleen G Parenteau
3744 Hoffman Rd
White Bear Lake MN 55110-4628

Parcel ID: 013022220027

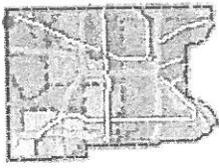
Ramsey County Parks And Rec
2015 Van Dyke St N
Saint Paul MN 55109-3711

Parcel ID: 013022230001

Northern Pacific Ry Co
176 E 5th St
St Paul MN 55101-1606



Legend



- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries
- Airports

Notes

Enter Map Description

This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

400.0 200.00 0 400.0 Feet

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Carter Johnson, being first duly sworn, on oath states as follows:

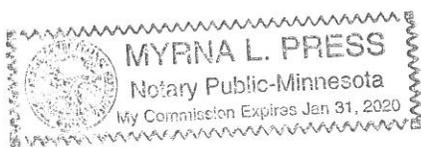
- 1. I am the publisher of the WHITE BEAR PRESS, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant of Minnesota Statutes §331A.07.
2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.
3. The dates of the month and the year and day of the week upon which the public notice attached was published in the newspaper are as follows:
Once a week, for one week, it was published on Wednesday, the 24th day of May, 2017.
4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to §331A.06, is as follows:
a) Lowest classified rate paid by commercial users for comparable space
b) Maximum rate allowed by law for the above matter
c) Rate actually charged for the above matter \$ 16.07/inch
5. Mortgage Foreclosure Notices. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in Ramsey County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

FURTHER YOUR AFFIANT SAITH NOT.

BY: [Signature]
TITLE: Carter Johnson, Publisher

Subscribed and sworn to before me on this 24th day of May, 2017.

[Signature]
Notary Public



STATE OF MINNESOTA

TOWN OF WHITE BEAR

COUNTY OF RAMSEY

Office of Town Clerk/Treasurer

CONDITIONAL USE PERMIT

IN CONSIDERATION of the statements made by SOUTHWIND BUILDERS, LLC, in its application therefor duly filed in this office, which Application is made a part hereof, and a showing by the applicant that the standards and criteria set forth in Ordinance No. 35 (Zoning) for Conditional Use Permits will be satisfied, a public hearing thereon having been held as provided by statute and ordinance, PERMISSION IS HEREBY GRANTED To said SOUTHWIND BUILDERS, LLC, to construct and operate a construction contractor's office, in accordance with the attached Requirements, upon a tract of land lying and being in the Town of White Bear, described as follows: Lot 7, Robert G. Mackay's Bald Eagle Garden Lots, subject to highway and except the South 128 feet thereof; Address: 5960 Highway 61, which tract is of the size and area specified in said application.

This permit is granted upon the express condition that said owner and his contractors, agents, workmen and employees shall comply in all respects with the ordinances of the Town of White Bear and the Special Requirements attached hereto and made a part hereof.

Given under the hand of the Town Clerk/Treasurer and the Seal of the Town Clerk this 7th day of August, 2017.

TOWN CLERK/TREASURER

STATE OF MINNESOTA)
)
COUNTY OF RAMSEY) ss.
)
TOWN OF WHITE BEAR)

THIS INSTRUMENT WAS DRAFTED BY:
WHITE BEAR TOWNSHIP
1281 HAMMOND ROAD
WHITE BEAR TOWNSHIP MN 55110

I, the undersigned, being the duly qualified and acting Clerk of the Town of White Bear, Minnesota, DO HEREBY CERTIFY, that I have carefully compared the attached and foregoing Conditional Use Permit with the original records and files of said Town, and that the same is a full, true, and correct transcript therefrom.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the Town Clerk's Seal this 7th day of August, 2017.

TOWN CLERK/TREASURER

CONDITIONAL USE PERMIT REQUIREMENTS

Bald Eagle Liquor Shoppe
Bald Eagle Quick Stop, Inc. – Upper Level
5960 Highway 61
White Bear Township MN

**THIS CONDITIONAL USE PERMIT SUPERSEDES THE CONDITIONAL
USE PERMIT ISSUED JUNE 7, 1999, FEBRUARY 19, 2002 & JUNE 6, 2016**

1. The following Plans are made a part hereof by reference:
 - Certificate of Survey dated 6/8/17
 - Site Plan dated 6/8/17
 - Construction Plans dated 12/18/01
 - Site Plan and Floor Plan, dated 3/8/99
 - Title Sheet T 1.0 dated 10/27/15
 - As Built Elevations EX 2.0 dated 10/27/15
 - Proposed Elevations A 2.0 dated 10/27/15
 - Proposed Floor Plan A 1.0 dated 10/27/15
 - As Built Roof Plans EX 1.1 dated 10/27/15
2. There shall be no residential use of the building.
3. There shall be no outside storage of construction equipment or materials on the property.
4. Any additional signs related to the business office use shall be located on the existing monument sign or office entrance area, and shall not exceed 10 square feet in area.
5. Removal of the storage building behind the current liquor store and conversion of the location to 4 parking spaces.
6. Relocation of the southerly dumpster storage area to the easterly side of the new liquor store building.
7. Parking stalls located in front of the liquor store building shall be designated for handicapped. A turnaround shall be provided to the south of the parking stalls.
8. All requirements of MnDOT.
9. All Federal, State and local laws and Ordinances shall be complied with.



**Town Board Meeting
August 7, 2017**

Agenda Number: 7E – General Business

Town Planner Item:

Subject: Veeco, 4875 Constellation Drive – Request for Sign Installation Variance from Ordinance No. 33 – Sign Ordinance

**Documentation: Town Planner Memo
Variance Application From w/ attachments**

Action / Motion for Consideration:

Town Planner Report at Meeting / Discussion

Based on Variance Board, Planning Commission & Staff Review & Recommendation Approve the Variance as Requested which Would Allow 2 Building Mounted Signs not Exceeding a Total of 80 Square feet

**Minutes
Variance Board Meeting
July 19, 2017**

VEECO, 4875 CONSTELLATION DRIVE – Request for Variance From Ordinance No. 33 (Sign):
Riedesel summarized the request to add a second building mounted sign to their building at 4875 Constellation Drive. The sign ordinance permits each business to have a monument sign and one building mounted sign not larger than 100 square feet. Veeco currently has a monument sign and a west facing building mounted sign. The building mounted sign is 40 square feet in area.

They are proposing to add a second building mounted sign also 40 square feet in area. The Town has approved several building mounted quantity sign variances in the past provided that the total square footage of all of the building mounted signs does not exceed 100 square feet. Examples include: The Holiday Stores, Cub Foods, Schwing America and others. The total building mounted sign area is proposed to be less than 100 square feet, making this request consistent with similar variance requests.

The Variance Board discussed the proposal and found it to be consistent with the Town's past practice of approving multiple building mounted signs provided the total square footage does not exceed 100 square feet.

Johnson moved to approve the sign ordinance variance as requested. Denn seconded. Ayes all.

MEMORANDUM

TO: VARIANCE BOARD
FROM: TOM RIEDESEL
DATE: JULY 13, 2017

SUBJECT: SIGN INSTALLATION
REQUEST: VARIANCE FROM ORDINANCE NO. 33 – SIGN ORDINANCE

APPLICANT: VEECO
LOCATION: 4875 CONSTELLATION DRIVE

Veeco is requesting approval of a sign ordinance variance which would allow them to install a second building mounted sign at 4875 Constellation Drive. There is currently a west facing sign on the building. The second sign is proposed on the east side of the building. The sign is proposed to be 40 square feet in area, matching the west facing sign.

The Town's sign ordinance permits each business to have one building mounted sign up to 100 square feet in area.

A variance is requested which would allow two building mounted signs not exceeding a total of 80 square feet.

The Town has approved several sign quantity variances for industrial and commercial buildings. Approvals have been subject to the total square footage not exceeding the 100 square foot maximum requirement.

This variance request is consistent with previously approved sign variance requests.

TR/psw
cc:admin/add.file
b:veecosign



VARIANCE APPLICATION FORM

White Bear Township
 1281 Hammond Road
 White Bear Township, MN 55110
 Phone 651-747-2750 Fax 651-426-2258
www.ci.white-bear-township.mn.us

INTRODUCTION

Variations from the literal provisions of this Ordinance shall only be permitted when they are in harmony with the general purposes and intent of this Ordinance, and when the terms of the variance are consistent with the Comprehensive Plan. Variations may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the provisions of this Ordinance. "Practical Difficulties", as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by this Ordinance; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. Variations shall be granted for earth sheltered construction as defined in Minnesota Statutes, when in harmony with this Ordinance. No variance may be granted that would allow any use that is not allowed in the zoning district in which the subject property is located. The Town Board may impose conditions in granting a variance that are directly related to and in rough proportion to an impact created by the variance. Conditions may be imposed in the granting of variations to insure compliance and to protect adjacent properties.

_____ Fee \$225

APPLICANT(S) Lawrence Sign Company PHONE (Home) _____
Contact: Meghan Dybdahl (Business) 651-488-6711
 (Cell) _____

ADDRESS 945 Pierce Butler Route
Saint Paul, MN 55104

PROPERTY OWNER Veeco

ADDRESS OF SITE 4875 Constellation Drive ZONING I-1

EXISTING USE OF SITE Veeco Instruments, Inc

DESCRIPTION OF VARIANCE REQUEST Allow for two wall signs on West & East elevations.

SETBACKS:	<u>Required</u>	<u>Existing</u>	<u>Requested</u>
Front Yard	<u>N/A</u>	_____	_____
Side Yard	_____	_____	_____
Side Yard	_____	_____	_____
Rear Yard	_____	_____	_____
Other (Specify)	_____	_____	_____

CHECKLIST:

- Site Plan (with dimensions and to scale)
 - _____ Building locations (dwelling, garage, accessory building).
 - _____ Site improvements (fences, walks, lighting, decks, etc.).
 - _____ Yard (front, side, rear, delineating setbacks).
 - _____ Wetlands, lakes, streams, ditches including 100 year storm elevation.
- Schedule (when does applicant intend to construct). (8/25/17)
- Additional information, if required.
- Certificate of Survey, or full legal description.
- Statements from affected (abutting) property owners. (If not provided, a public hearing will be scheduled with all property owners within 350' of your property being notified.)

REVIEW PROCESS:

1. Submit 1 copy of application and supporting information to the Township. Also submit 15 copies of all plans which exceed 11" x 17" in size. Any application must be received by the 1st Thursday of the month in which the applicant would like the Variance Board to review the proposal.
2. Variance Board _____ (Approximately one week prior to the Planning Commission Meeting, as necessary. Applicant will be notified of the time of the meeting.)
3. Planning Commission _____ (4th Thursday of the month @ 7:00 p.m. at the Town Hall).
4. Town Board _____ (3rd Monday of the following month @ 7:00 p.m. at the Town Hall).

STANDARDS:

The Town Board will approve a variance only if it satisfies the description in the INTRODUCTION on Page 1 of this form, and the following facts are established:

- _____ 1. Without a variance, applicant would be deprived of rights commonly enjoyed by others in the same district.
- _____ 2. The special circumstances do not result from actions of applicant.
- _____ 3. Granting variance will not confer on applicant any special privileges.
- _____ 4. Will not increase traffic congestion on public streets.
- _____ 5. Will not endanger public safety.
- _____ 6. Will not diminish established property value.

Applicant understands that the Variance Application fee will not be refunded if, after being submitted, the application is denied or the applicant chooses to withdraw.

It is the policy of White Bear Township that all identifiable costs associated with a Variance Application within the Township shall be the sole responsibility of the owner of said property. The costs shall include, but are not limited to the following: Township planning review costs (reports, meetings, site review); engineering review costs; legal costs (preparation of hearing notices, legal research, certification costs); publication costs (notice of hearing); reapportionment of assessments (engineers report); mailings and Ownership Reports (ownership/encumbrance).

Prior to the final approval by the Town Board, all Township expenses to date shall be paid by the owner. Subsequent expenses not paid at the time of final approval (due to billings by consultants, etc.) shall be due upon receipt of a billing from the Township.

Property Owner- *[Signature]* 7.13.17

Mayhan Dybedahl
*Signature of Applicant(s)

7/12/2017
Date

*Prior to applying for a variance it is recommended that the applicant contact Town staff in order to discuss the proposal.

<u>To Be Completed By Office:</u>			
Date Request Received	_____		
By _____ (Staff Member)	\$225.00 Fee Received	<input type="checkbox"/>	Yes
		<input type="checkbox"/>	No
Date Application Complete	_____		

WHITE BEAR LAKE - MN

SQUARE FOOTAGE: 40.33

OPTION 2

DESCRIPTION

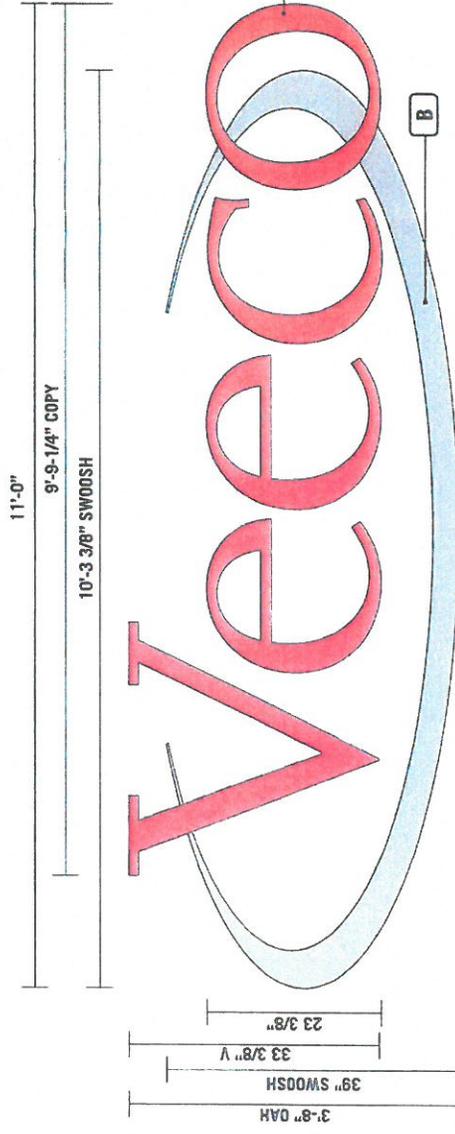
- A** - FACE LIT LETTERS
- 5" DEEP BLACK RETURNS
- 1" BLACK TRIM CAP
- 3/16" 7328 WHITE ACRYLIC FACES
- V1 VINYL APPLIED TO FACE
- SLOAN WHITE LED ILLUMINATION

- B** - ILLUMINATED SWOOSH
- 5" DEEP BLACK RETURNS
- 1" BLACK TRIM CAP
- 3/16" 7328 WHITE ACRYLIC FACES
- V1 VINYL APPLIED TO FACE
- SLOAN WHITE LED ILLUMINATION

FINISH SCHEDULE

- 00** 3M POPPY RED TRANS. VINYL (230-143)
- 02** 3M SLATE GREY TRANS. VINYL (230-51)

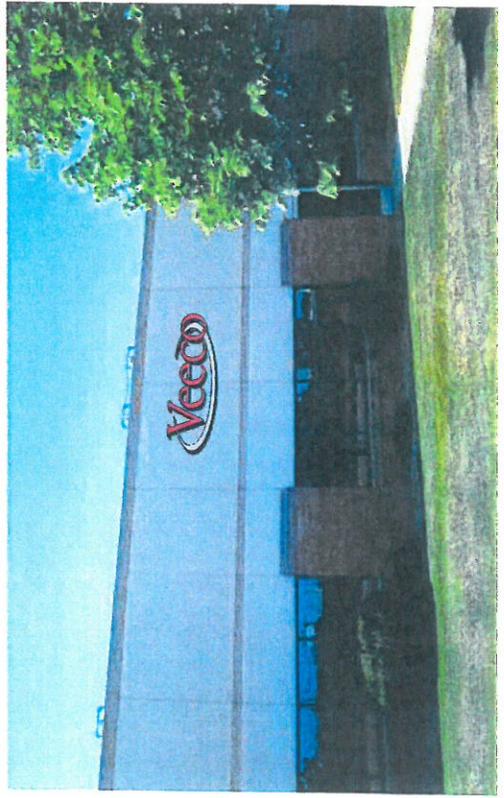
INSTALL- ALL ELEMENTS MOUNTED FLUSH TO WALL



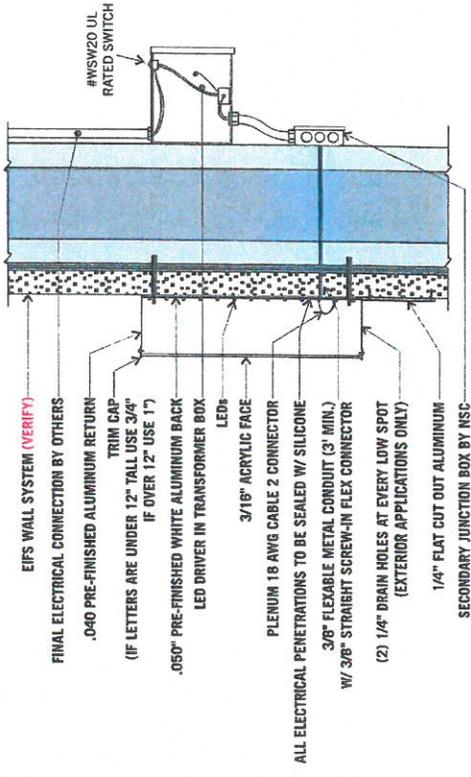
1 SIGN LAYOUT

SCALE: 3/4"=1'-0"

QTY: 1



PROPOSED CONDITIONS - EAST ELEVATION



2 LETTERS SECTION - TYPICAL

SCALE: NTS

NAME: _____
DATE: _____
REV: _____
REV2: _____
REV3: _____
REV4: _____
REV5: _____
REV6: _____
REV7: _____
REV8: _____

SALES: DP PR: XX
DESIGN: RR
DATE: 05.18.17
DWG: 121400-1

These plans are the exclusive property of Walker Sign Holdings Inc. and Lawrence Sign and are the result of the original work of its employees. They are submitted to you for your review and consideration of the plans and for your consideration of the terms and conditions of these plans or to purchase from Walker Sign Holdings Inc. and Lawrence Sign. No part of these plans may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Walker Sign Holdings Inc. All rights reserved.





**Town Board Meeting
August 7, 2017**

Agenda Number: 7F – General Business

Public Works Director Item:

Subject: Mead Park Picnic Shelter – Approve Roof Replacement

Documentation: Public Works Department Memo

Action / Motion for Consideration:

Finance Officer Report at Meeting / Discussion

MEMORANDUM

Date: August 2, 2017

To: Town Board

From: Pete Tholen, Field Maintenance Supervisor; Dale Reed, Public Works Director

Re: Mead Picnic Shelter Roof Quote Approval

Mead Park shelter was built in the summer of 1990 by Town staff. Since then the structural components of the shelter have been stained multiple times to prevent weathering and make it aesthetically pleasing. The asphalt shingle roof is now due to replacement because of age (due to weathering). When the shelter roof was originally constructed, no drip edge was incorporated in the design, which has contributed the spot roof deck sheeting and fascia repairs.

Public Works has received three quotes for making the repairs to the roof deck sheeting and fascia, installing standing seam steel roofing, install steel gable ends to the roof and wrap the fascia in aluminum to make everything maintenance free. The three quotes are from American Eagle Home Improvement for \$4,530.00, All Around for \$5,010.20 and SJ Anderson Construction for \$8,925.00. Staff is recommending approving American Eagle Home Improvement.

The project is identified in the 2017-2021 Capital Improvement Plan (CIP). There is \$3,000.00 designated funding in Parks CIP for this project. The remaining balance above the designated amount, would be provided by other CIP projects that came under the budget in 2017.

Action requested is to approve the quote, for the Mead reroofing project, from American Eagle Home Improvement for \$4,530.00.



**Town Board Meeting
August 7, 2017**

Agenda Number: 7G – General Business

Subject: Public Works Building Dormers – Authorize TKDA to Engineer a Dormer Design over the Two Front Service Doors

**Documentation: Studenski E-Mail
Staff Memo w/attachments**

Action / Motion for Consideration:

Receive Information / Discuss

Based on Safety Committee Review & Recommendation Authorize TKDA to Engineer a Design for Dormers Over the Two Service Doors on the Public Works Building at a Cost Not to Exceed \$8,000, with a Total Project Cost of \$30,000 with Funding from Building Fund

Patti Walstad

From: James E. Studenski <jim.studenski@tkda.com>
Sent: Wednesday, August 2, 2017 11:19 AM
To: Tom Kelly; Patti Walstad
Cc: Dale Reed; Mike Johnson
Subject: RE: PW Building Two Personnel Entrance Dormers

Tom/Patti,

This is a follow-up to our phone conversations. The total project estimated cost of adding engineered cantilever dormers over the two personnel doors on the south side of the Public Works building is \$30,000. The design and bidding costs would be a not to exceed \$8,000.

Please add this information to the Town Board agenda item.

Jim



James E. Studenski, PE | Senior Registered Engineer

444 Cedar Street, Suite 1500, Saint Paul, MN 55101

P 651.292.4503 | C 612.369.4418 | check out our new tkda.com

TKDA Professional Engineer: MN

MEMORANDUM

TO: TOWN BOARD
FROM: PATTI WALSTAD OF BEHALF OF THE SAFETY COMMITTEE
DATE: JULY 19, 2017

SUBJECT: PUBLIC WORKS BUILDING SAFETY ISSUE

The Safety Committee meets to ensure that safety measures are in place in and around the Township and Public Works buildings, and to field any concerns raised by employees.

A safety concern was received by the Committee regarding snow and ice chunks falling off of the Public Works building roof(see pictures).

Upon review of the concern received, it was determined that two of the doors on the Public Works building slope in such a way that when snow or ice slides off the building it could be a danger to people or property.

Requested Action:

The Safety Committee feels that since TKDA originally designed the building that they would be the right persons to prepare a design for protective coverings to be constructed over the two service doors located on the front of the Public Works building, thereby preventing any possible future injury to people or property.

PSW/s
cc:admin.file
b:safetycomm



Have a Safety Suggestion Let the Township's Safety Committee Know

Employee Name: <u>GT</u>	Date: <u>1-7-16</u>
--------------------------	---------------------

State the Problem, Concern, or Issue: (Describe in detail. If more space is needed, attached separate sheet.) ⁽²⁾ Icicles forming over the service doors on the front of the shop (south side of building)

Describe Your Proposed Solution: (Attach examples, photos, charts, etc., as needed to explain.)

Put some gutters up

Benefits of Your Suggestion: (Check all that apply.)

Monetary Savings Safety/Health Job Efficiency
 Customer Service Working Conditions Improved Morale Other: _____


Signature

1-7-16
Date

Suggestion Received By: _____
Has the Suggestion Been Implemented? <input type="checkbox"/> Yes <input type="checkbox"/> No
Date Implemented: _____







**Minutes
Safety Committee Meeting
April 27, 2016**

The meeting was called to order at 2:34 p.m.

Present: Bill Short, Pete Tholen, Reed Walstad, Mike Johnson, Rick Lillie, Patti Walstad

Pete Tholen read the Mission Statement.

APPROVAL OF AGENDA (Additions/Deletions): The Agenda was approved as submitted with addition of 9.a. – Back-Up Cameras.

APPROVAL OF MINUTES (Additions/Deletions): The Minutes were approved as submitted.

BUILDING SECURITY: Short will report on the active shooter classes next month.

PUBLIC WORKS DORMERS: Johnson looked at dormers, something could be bolted on each side of the building to prevent ice from hanging over doors. It was noted that TKDA may have to get involved as they designed the building.

It was the consensus of the committee that this item should be presented to the Town Board at an Executive Meeting citing 1) safety concerns and 2) recommend measures that could be implemented to combat the problem.

SAFETY SUGGESTIONS – Review Suggestions If Any: None were received.

“NEAR-MISS” INFORMATION: None to report.

BACK-UP CAMERAS: A back-up camera has been added to the sweeper. Cameras are still needed on two one-tons and on the loader. Tholen said that the plan is to add a couple of cameras per year to the remaining vehicles.

SAFETY INSPECTION ADDITIONAL INFORMATION: The information on the safety blankets was reviewed, and it was noted that a new water heater should be bought for the bathroom in the woodshop.

NEXT MEETING AGENDA ITEMS:

- Active Shooter Class – Bill Short
- Public Works Building Dormers

The meeting adjourned at 3:02 p.m.

Respectfully Submitted,

Patti Walstad



**Minutes
Safety Committee Meeting
May 31, 2017**

The meeting was called to order at 1:35 p.m.

Present: Bill Short, Pete Tholen, Mike Johnson, Patti Walstad, Tom Kelly.

Patti Walstad read the Mission Statement.

APPROVAL OF AGENDA (Additions/Deletions): The Agenda was approved as submitted.

APPROVAL OF MINUTES (Additions/Deletions): The Minutes were approved with a correction by Bill Short.

RECEIVE RESIGNATION OF COMMISSION MEMBERS REED WALSTAD & BILL SHORT & NOMINATE NEW MEMBERS: Tom Kelly was nominated & accepted membership on the Committee replacing Bill Short; Greg Horst was nominated & accepted membership on the Committee replacing Reed Walstad.

ADMINISTRATIVE BUILDING FRONT SIDEWALK: It was the consensus of the Committee that the handicapped ramp and sidewalk in front of the administrative building need to be replaced, and installation of a railing is also recommended. Johnson will solicit three (3) quotes and proceed pursuant to the Town's Purchasing Policy.

PUBLIC WORKS BUILDING DORMERS: A safety concern was forwarded to the Committee regarding a hazard which occurs in the winter when snow/ice slides off of the Public Works building onto the sidewalk. Johnson stated that two of the doors on the Public Works building slope in such a way that when snow or ice slides off there could be a danger to people or property.

It was the consensus of the Committee that TKDA should be authorized to prepare a design for protective coverings over the doors to protect from snow/ice. This matter will be put on the June Executive Meeting agenda for discussion.

SAFETY SUGGESTIONS – REVIEW SUGGESTIONS IF ANY: None were received.

“NEAR-MISS” INFORMATION: None to report.



**Town Board Meeting
August 7, 2017**

Agenda Number: 7H – General Business

Subject: North Oaks Utility Billing – Approve Memorandum of Understanding & Authorize Execution by the Town Board Chair & Town Clerk

Documentation: Memorandum of Understanding

Action / Motion for Consideration:

Town Attorney Report at Meeting / Discuss

Based on Town Attorney Review & Recommendation Approve the Memorandum of Understanding Regarding North Oaks Billing Procedures & Authorize Execution by the Town Board Chair & Town Clerk

MEMORANDUM OF UNDERSTANDING
NORTH OAKS WATER AND SEWER SERVICE

This Memorandum of Understanding is made and entered into this ___ day of August, 2017 by and between the Town of White Bear, a statutory township under the laws of the State of Minnesota ("Town") and City of North Oaks, a municipal corporation under the laws of the State of Minnesota ("City").

WHEREAS, the Town and City did enter into a Master Joint Power Agreement executed November 1, 1999 ("Agreement") under which the Town agreed to supply water and sanitary sewer services to property owners located in the City, and;

WHEREAS, that pursuant to the terms of said Agreement, the Town has provided said water and sanitary sewer services continuously to the present date, and;

WHEREAS, Paragraph E of Section 5 of the Agreement grants the Town the authority to adjust maintenance charges related to the maintenance of the water system annually by resolution of the Town. Paragraph G of Section 6 of the Agreement grants the Town the authority to adjust maintenance charges for the sanitary sewer system annually by resolution of the Town, and;

WHEREAS, the Town has consulted with the City and intends to adopt a resolution increasing the maintenance charge charged the City property owners receiving sanitary sewer services only to \$36.92; and increasing the maintenance charge charged to those City property owners receiving both sanitary sewer and water services to \$37.15. Both maintenance charges are quarterly charges and shall be billed quarterly.

NOW, THEREFORE, in consideration of the mutual benefits derived here from, it is hereby agreed by and between the Town and City that the Town may adopt a resolution increasing the quarterly maintenance charged to those City property owners receiving sanitary sewer only to \$36.92 and increasing the quarterly maintenance charge charged to those City property owners receiving both sanitary sewer and water services to \$37.15.

That all other terms and conditions of the Agreement remain in full force and effect. Said increases shall become effective with the first quarterly bill sent after adoption of the resolution by the Town.

IN WITNESS WHEREOF, the Town of White Bear and the City of North Oaks has caused this Memorandum of Understanding to be executed on their behalf by their proper offices, board, council and officers.

TOWN OF WHITE BEAR

Dated: _____

By: _____
Robert Kermes

Its: Chairman

ATTEST:

By: _____
William F. Short

Its: Town Clerk/Treasurer

CITY OF NORTH OAKS

Dated: _____

By: _____

Its: Mayor

ATTEST:

By: _____

Its: City Clerk



**Town Board Meeting
August 7, 2017**

Agenda Number: 8 – 9- 10 - 11

Subject: Added Agenda Items
Open Time
Receipt of Agenda Materials & Supplements
Adjournment

Action / Motion for Consideration:

Added Agenda Items
Open Time
Receive All Agenda Materials & Supplements for Tonight's Meeting
Adjourn Meeting