



# 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 OCTOBER 2, 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 September 18, 2017.
5. **Consent Agenda:**
  - A. **Call Special Town Board Meeting & Reschedule Executive Meeting** – Call Special Town Board Meeting for Friday, November 17, 2017, Beginning at 11:30 a.m. to Attend the Annual Employee Recognition Luncheon & Reschedule the November Executive Meeting to Friday, November 17, 2017, to Begin Following the Employee Recognition Luncheon Due to the Thanksgiving Holiday.
  - B. **5685 Portland Avenue** – Call Special Town Board Meetings for 12/4/17 Through 12/8/17 From 9:30 a.m. Until 4:00 p.m. to Allow Possible Attendance at Commissioner's Hearings.
  - C. **2514 South Shore Boulevard** – Call Public Hearing for Monday, October 16, 2017 @ 7:40 p.m. to Consider a 5' Side Setback Variance to Allow Construction of a Single Stall Garage.
  - D. **2707 South Shore Boulevard** – Call Public Hearing for Monday, October 16, 2017 @ 7:50 p.m. to Consider a 15' Right-of-Way Setback Variance, a 5' Side Yard Setback Variance & a 40'6" Lakeshore Setback Variance to Allow Demolition of the Existing Home & Construction of a New Home.
  - E. **1210 County Road J** – Call Public Hearing for Monday, October 16, 2017 @ 8:00 p.m. to Consider Approving a Conditional Use Permit to Allow Massage Therapy.
  - F. **Water Efficiency Rebates** – Authorize Rebates for the Town's Portion of the Rebate Program (25%) For Those Applications Received Prior to the Program End Date But After Grant Funds Had Been Expended.
  - G. **Benson Airport Operation Plan** – Receive Annual Report.



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- H. **Right-of-Way Permit** – Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve Comcast Permit to Replace Underground Coaxial Cable Line to Service the Resident at 1303 North Birch Lake Boulevard Including Directional Boring.
  
- 6. **Old Business:** None.
  
- 7. **New Business:**
  - A. **7:10 p.m. – Public Hearing** - Annual Presentation of the Town's Storm Water Pollution Prevention Program.
  - B. **7:20 p.m. Public Hearing Continuation – Conditional Use Permit Request @ 5350 Highway 61** – To Allow Construction of Handmade Furniture.
  - C. **7:30 p.m. Public Hearing Continuation – Conditional Use Permit Request @5350 Highway 61** - To Allow Indoor Storage at a Commercial Building.

**Public Works Director Items:**

- D. **Bellaire Beach House Roof Replacement:**
  - 1. Receive Bids
  - 2. Award Contract
- E. **Sanitary Sewer Pipe Joint Cleaning & Sealing:**
  - 1. Receive Bids
  - 2. Award Contract

**Town Planner Item:**

- F. **Holiday Stationstores, 5970 Highway 61** – Permitted Use Standards Permit Request to Add a Screened Dumpster Area.
- G. **Comprehensive Plan Consulting Services** – Revise Agreement to Include Additional Services.

**General Business:**

- H. **Solicitor License Request** – Comcast/Xfinity.
- I. **Attorney/Client Closed Session.**
  
- 8. **Added Agenda Items.**
- 9. **Open Time.**
- 10. **Receipt of Agenda Materials & Supplements.**



**Town Board Meeting  
October 2, 2017**

**Agenda Number:** 1 - 2 - 3 - 4

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

Approval of October 2, 2017 Agenda

Approval of Payment of Bills

Approval of Minutes of September 18, 2017

**Documentation:** October 2, 2017 Agenda  
September 18, 2017 Minutes

**Action / Motion for Consideration:**

Call meeting to order:	7:00 p.m.
Approval of Agenda:	October 2, 2017 (additions/deletions)
Approval of Payment of Bills	
Approval of Minutes:	Minutes of September 18, 2017

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

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

**APPROVAL OF AGENDA (Additions/Deletions):** Prudhon moved approval of the agenda as submitted. Ruzek seconded. Ayes all.

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

**APPROVAL OF MINUTES OF SEPTEMBER 6, 2017 & SPECIAL TOWN BOARD MEETING OF SEPTEMBER 11, 2017:** Ruzek moved approval of the Minutes of the Town Board Meeting of September 6, 2017. Prudhon seconded. Ayes all.

Ruzek moved approval of the Minutes of the Special Town Board Meeting of September 11, 2017. Prudhon seconded. Ayes all.

**CONSENT AGENDA:** Ruzek moved approval of the Consent Agenda as follows: 5A) Based on Town Finance Officer Review & Recommendation Approve the 2017 Fire Service Contract Addendum in the Amount of \$254,107.00 & Authorize Execution by the Town Chair & Town Clerk; 5B) Resolution Providing for Hearing on Assessments for Improvement 2016-2 – SE Area Sewer Re-Lining for Monday, October 16, 2017 at 7:10 p.m.; 5C) Receive Construction Activity Report; 5D) Based on Town Engineer Review and Recommendation and Including His Recommended Conditions, Approve Comcast Permit to Replace Underground Coaxial Cable Line to Service the Business at 1018 Meadowlands Drive Including Directional Boring; 5E) Based on Town Engineer Review and Recommendation and Including His Recommended Conditions, Approve Xcel Energy Permit to Replace the Gas Service Line at 5521 Bald Eagle Boulevard West for the New Lift Station #3; 5F) Based on Town Engineer Review and Recommendation and Including His Recommended Conditions, Approve Connexus Permit to Replace Failing Underground Electric Distribution Line to Service the Resident at 5846 Otter View Trail Including Directional Boring; 5G) Based on Town Engineer Review and Recommendation and Including His Recommended Conditions, Approve Compass Consultants on Behalf of Arvig Communications Permit to Install Buried Cable Crossing Under the Railroad Tracks of Highway 61 on Buerkle Road to Service a Business Including Boring and Open Trenching. Prudhon seconded. Ayes all.

**OLD BUSINESS:** There are no Old Business items.

**7:10 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 & ADDING SECTION 7-19:** The Public Hearing was held at 7:11 p.m. Prudhon moved to waive the reading of Public Notice noting that proper publication was made. Ruzek seconded. Ayes all. Ruzek moved to open the Public Hearing. Prudhon seconded. Ayes all.

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The Planner reported that this is the second review of the Zoning Ordinance amendment. A public hearing was conducted in August and continued to tonight due to error in the public notice which did not include the definition section of the amendment.

This is a recommendation of the Planning Commission to amend the Zoning Ordinance No. 35 to address adult uses in the Town. The Town Attorney has advised the Town that the Zoning Ordinance should address this particular issue. After review by the Planning Commission for several months they made a recommendation at their July meeting to create a new zoning district, specifically an I-2 district, a heavy industrial type of zoning district which would permit adult uses by conditional use permit. This would be a new zoning district. They identified an area of the Township which is currently zoned light industrial as a recommended new I-2 site (the site of the old Town Hall on Hoffman Road). Several sections of the Zoning Ordinance to be amended are Sections 3-3.A to 3-3.C(19). Section 3 is amended to identify permitted uses in the I-2 Industrial District as Township Parks & Playgrounds & Green Area and Township Government Buildings. Section 4 is being amended to identify permitted uses in the zone by conditional use permit subject to conditions determined by the Town Board. Those uses which are recommended to be added are Wood Treating Facility; Parking Lot, Adult Uses. Section 5, Table 7-1 is amended by adding the setbacks that the I-2 district must meet. Section 6. Amendment, 7-19 regulates the adult use type of business including licensure of the business. Prior to the use being approved a Public Hearing is required as part of the Conditional Use Permit. Ineligible persons are identified in this section as well as ineligible locations. There may not be two similar uses within 1,000 feet of each other. No adult use shall be located closer than 500 feet from any residential lot line, place of worship, school, public park, open space, licensed family day care home, licensed group family day care home, public library, or licensed child care or day care center in any community. Alcohol would be prohibited. The Planning Commission discussed model ordinances and determined where in the Town this use would be allowed. Their recommendation is to amend the Zoning Ordinance adopting the I-2 Zoning District and the specific sections of the Zoning Ordinance related to this specific type of use. Kermes asked if Section 5, which sets the minimum size and setbacks, is compatible with lot size requirements for other industrial users. The Planner stated that it is consistent with I-1 regulations. A minimum lot area of 1 acre and the setbacks would be consistent.

Prudhon asked if the Town Attorney could explain why the Town is providing for this use. The Town Attorney explained that the Town is adopting the Ordinance because of the constitutional rights regarding free speech which deals with this type of material and as such the Town cannot prohibit the use from occurring in the Township. The Town has to provide some area in the Town where this form of free speech can be exercised. He stated that the use will be regulated and conditions and other limitations placed on the use as well. The purpose of the ordinance is to adopt regulations dealing with adult book stores and other adult material that honors the free speech requirements of the constitution and also be regulated. Kermes noted that the language has been adopted by other communities in this and outlining areas. The conditions and terms are not new. The Town is trying to recognize the right to free speech and free expression. He stated that this is not something that the Town has drafted on its own. It is a practice that is constitutionally acceptable locally and nationally. The amendment to the ordinance protects the

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Township so that there are specific guidelines if an adult business settles or establishes in the Township it will be on Township terms.

Prudhon moved to open the public comment portion of the Public Hearing. Ruzek seconded. Ayes all.

Christine Johnson, 1930 Ridgewood Avenue, stated that she is the mother of four small children and asked if the amendment to the ordinance is adopted if it will draw this type of business to our area or if adopted will it keep that type of business away because of the strict regulations of what they are allowed to do. The Town Attorney stated that the amendment to the ordinance is as neutral as possible. It does not invite them in or discourage them from coming. If they want to operate such a business they must follow the terms and conditions. Christine Johnson asked if this was allowed in the Township before. The Town Attorney stated that Town Ordinance is silent on this issue. Under zoning law if a use is not allowed or permitted under Conditional, Permitted, or Interim Use it is not allowed. The Town is forced to adopt this ordinance so it does create a method for this use. This would be a conditional use which means that the Town has the right to place restrictions and limitations on how this use takes place. Christine Johnson asked who places those restrictions and limitations. The Town Attorney stated that the Town Board does. Ruzek referred to Section 7-19.3 of the proposed amendment which states that it is not the intent of the Town Board to prohibit adult uses or sexually oriented businesses or establishments from having an opportunity to locate in the Town. It is also not the intent of the Board to regulate these businesses on the basis of content, but only on the basis of likely adverse secondary effects. He stated that it clearly indicates neutrality. Prudhon reported that the Planning Commission has been working for a long time to identify a spot in the Town that would best serve this need. Christine Johnson asked if the ordinance would be on line. The Clerk stated that once the amendment is adopted it will be place on line with the Town Ordinances.

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

Prudhon moved to approve the Resolution Authorizing Publication of the Title and Summary of the Amendments to Ordinance No. 35 (Zoning) which includes: 1) Section 3 – Definitions; 2) Section 6-2 – District Purposes; 3) Section 6-4 – Permitted Uses; 4) Section 6-5 – Conditional Uses; 5) Table 7-1; 6) Section 7-19 – Adult Uses & Sexually Oriented Businesses . Ruzek seconded. Ayes all.

Prudhon moved to authorize execution of the Title and Summary by the Town Clerk. Ruzek seconded. Ayes all.

**7:20 P.M. PUBLIC HEARING – SPECIAL THREE DOG LICENSE REQUEST AT 1651 GARDEN LANE:** The Public Hearing was held at 7:35 p.m. Ruzek moved to waive the reading of Public Notice noting that proper publication was made. Prudhon seconded. Ruzek moved to open the Public Hearing. Prudhon seconded. Ayes all.

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The Clerk reported that Amy Chester, 1651 Garden Lane has applied for a Special Three Dog License. Ordinance No. 5 (Animal) sets forth the procedures that should be followed. Amy Chester made application for a Special Three Dog License she noted that she has five dogs, two of which belong to her father who is in an assisted living facility and cannot care for the dogs. The dogs have rabies certificates and/or verbal verification has been provided for all the dogs; the dog licenses will be paid for and issued if the Special Three Dog License is approved; the application has been completed and the fee paid. The Clerk reported that the Town office has received a verbal comment of general concern but no written or email comments have been received. Officer Lee has provided a report on his inspection on August 29, 2017. Officer Lee found that there were five dogs on the premises. A 10 year old Chihuahua; 10 year old MinPin Mix; 7 year old Chihuahua mix; 8 year old American Eskimo; above 10 year old Terrier mix. His report stated that all dogs showed no apparent signs of illness, had well-groomed/shiny coats and appeared healthy relative to their ages; the dogs had access to clean potable water; access to sufficient quality food. There are enough leashes for the dogs and they are handy at the door; the animals have access to the entire house of 2168 square feet; 3710 square feet of natural grass and wooded yard enclosed with a 4' chain link fence; there is adequate ventilation indoors with modern climate control. There is no sign of litter accumulation or urine spots outdoors. Food and water are clean. No complaints have been received. Officer Lee recommends approval of the Special 3 Dog License.

The Clerk stated that the Town has a limit of three dogs. When it was determined that Amy Chester has more than three dogs it was decided to report on such at the scheduled public hearing at which time the Town Board will make a decision regarding having five dogs. Kermes stated that the documentation has reference to five dogs. Prudhon stated that the ordinance allows three dogs and to allow more would be setting precedence. He asked the Town Attorney if the ordinance allows for three dogs and there are five, does the applicant have to comply. The Town Attorney stated that to have more than three dogs would require special consideration or special permit with the understanding that as the dogs leave they would not be replaced until the number of dogs is down to three.

Ruzek moved to open the public comment portion of the Public Hearing. Prudhon seconded. Ayes all.

Amy Chester, 1651 Garden Lane, stated that the home she and her children are living in was her father's for many decades. She and her children moved into the house in May. They have three dogs which are Chihuahua mixes, 7 pounds, 13 pounds and 17 pounds. They are all shelter dogs. Her father moved to assisted living with the understanding that he could bring his two dogs with him. However, he could not care for them there and asked Amy and her children to care for this two dogs, an American Eskimo, age 9 and a 25 pound Terrier Mix, age unknown, but near the end of her life. She has no teeth, limited sight, is hard of hearing, and does not leave the house. Her father recently had surgery and has gone to transitional care. His intention is to move to an apartment where he can have his two dogs with him rather than going to a facility. Amy Chester stated that she has no problem continuing to care for the Terrier mix, who is old and very quiet. However, her father's American Eskimo is a challenge. She reported that the dogs are in a fenced yard, are all leashed, and are all up to date with all their vaccinations. She reported that she received a complaint from a neighbor who stated that the dogs should not

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bark at all. Amy Chester stated that when she read the ordinance she understood that there should be no more than five minutes of continuous barking, or barking with only brief pauses. The neighbor told her that was not good enough. Amy Chester stated that when the dogs go out they are accompanied each time and the barking seems better. She stated that she feels that shock collars are no good for the dogs. She stated that she has collected signatures from people in the neighborhood who support her having a license for the five dogs. The neighbor behind her house has had issues with neighbors calling animal control because his dog barks. That neighbor got a shock collar for his dog. Prudhon asked if there is anyone in the family who could take her father's dogs. Amy Chester stated that she has a brother who lives in Wyoming, Minnesota, but has refused to take them. He works 12-14 hours a day and the dogs would be left alone for too long a time. She asked her father if she could find a home for Suzie, the American Eskimo, if it would be okay. Initially he said it would be okay but to talk about it hurts him and he does not want to talk about it anymore. Kermes asked the timeline for when her father may be able to take his dogs. Amy Chester stated that she is not sure. She assumes it would be for between 3-5 weeks.

Clarke Huebener, 1641 Garden Lane, stated that he lives next door to Amy Chester. In July and the first part of August they had noise issues with Amy's dogs. The dogs are left out and they run to the fence barking like crazy. He stated that he does not go by the Town ordinance regarding barking for more than five minutes. He stated that he goes by disturbing the peace. The noise upsets his wife and him and he could not take it. He stated that he does give Amy credit. She is doing a wonderful job of controlling the dogs now. He stated that Amy has started putting slats on the fence which may help. He said his purpose for being here is that the request is for a Special 3 Dog License and he has seen four dogs there and now he learns that there are five dogs at the house. He stated that he does not want to see the situation get worse and the dogs go crazy out there. He stated that he has met with Amy but they could not come to a conclusion. He stated that he wants to get along with his neighbors. He suggested that the Animal Control Officer come out. He just wants to see peace between neighbors. In response to a question if he has seen an improvement lately, Mr. Huebener stated that he has. Amy Chester stated that she lets the dogs out all at the same time. There are two of the dogs that bark when they see the neighbor's dog or if they see a squirrel. She stated that they have started putting up slating so the dogs cannot see neighbors. Her dogs do not seem to have a problem with voice or noise, but only if they can see another dog, squirrel, or a person. The slating should be a big help with that.

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

Kermes noted that the Town Board had a similar matter recently and placed certain conditions on the approval. Requirements can include bark collars and request contingent on a site review by Animal Control Officer in six months. Other conditions can also be applied. Ruzek stated that he is moved by the fact that the father is interested in taking one of the dogs with him. The other dog appears to be near the end of life, apparently. He stated that he does not know how long is fair since the Special 3 Dog License is for three dogs. He asked Mr. Huebener if the green slating versus open fencing has made a difference in the dogs barking. Mr. Heubener stated that at this time it has not helped. Amy's son has been putting the slating on the fence

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but has not been completed far enough and some of the fencing is still open. Ruzek asked Amy Chester what her intentions really are and timetable for fencing her yard better. Amy Chester stated that the fence is only half way completed. The Heubener's are in their yard all the time and the fencing needs to be completed. The parts that are completed seem to help. But their patio, which is closer to the street, is not completed so the dogs still see them and bark. She stated that Missy, her father's oldest dog, never barks. She has told her father that she was coming to the meeting tonight and that she may have to find Suzie, the American Eskimo, another home. Her father asked that a decision not be made so that she has to do that. As far as her dogs go, it would be horrible to have to give any of their dogs away. They are extremely important to her and her children. She stated that they are rescue dogs and would not do well in another transition situation. She stated that if her father does follow through on his plan then she would have to find another home for Suzie. She stated that she only wants to do what the Board expects her to do. Kermes stated that the request is to approve the request for a Special 3 Dog License for five dogs and an issue with barking. He stated that with barking issues, the Board has recommended anti-bark collars or a substitute system. He suggested that some barking controls be initiated that include at least the completion of installing the fence slats and to agree that someone will be with the dogs at all times when the dogs are outside in the yard. He suggested approving the request contingent upon a six month review and acceptable review by the Animal Control Officer at that time that sees compliance. With the extra two dogs he suggested a temporary deviation from the Special 3 Dog License. A commitment regarding a time frame needs to be confirmed. Kermes asked when her father would be on his own following surgery. Amy Chester stated that he will be in transitional care for several weeks after which he hopes to be on his own with a personal care attendant to help. Kermes suggested including relocation of Suzie, the American Eskimo within the six month review period. Amy Chester stated that Missy is the oldest of her father's dogs and is very quiet, never barks and she would like to keep her until she passes. Kermes stated that when Missy passes she is not to be replaced. Ruzek stated that Amy Chester has stated that she is opposed to shock collars. He stated that there are collars that are silencers that dogs can hear but people do not hear. Amy Chester reported that she purchased a collar that makes a small noise and vibrates. It works on Jasmine and Lily but had no effect on Suzie, the American Eskimo. She stated that she does not have it on the two dogs now because when Suzie barks they get the vibration and sound. She stated that when the dogs go out and bark it is only for a few minutes. She does not consider that nuisance barking. They yap a little bit for under a minute. Prudhon stated that the Town has an ordinance that allows three dogs. He stated that he is willing to give Amy Chester a month or two and not issue the license until the options are worked out for the dogs. When the dogs are down to three the license can be issued for the three dogs and not have to consider deviations from the ordinance for five dogs. He stated that there is an ordinance for a reason. He stated that there must be options with her brother or a friend. With a few months of hard work Amy could work this out. The circumstances may change and the Town Board will not have to try to resolve the issue. He stated that he would not want to go with a six months approval and review at that time to see if the one dog has been relocated and what the situation is with the older dog. Amy Chester stated that her father did contact a few friends but was not successful. She stated that if the Town Board states that Suzie must be out of the house in a certain amount of time she will tell her father and it will be done. As far as relocating Missy, the older dog, would not be good. She cannot hear, she is near blind, has no teeth, does not bark, and is over ten years old.

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Kermes asked the Town Attorney if the matter can be tabled for three months and then have the applicant reapply and start the process again in December. The Town Attorney stated that he would not recommend tabling the application for three months. It would be better to approve and revisit in a certain amount of time. By issuing the license with the condition that it be revisited in a certain amount of time it allows the Town Board to make changes to the conditions, one of which would be the reduction to three dogs. Ruzek stated that there needs to be a time certain for when Suzie would be relocated. It was the consensus that 60 days seems fair and the time could coincide with the December, 4, 2017 Town Board meeting. Amy asked if she would have to pay another \$100 application fee. It was the consensus that any fee be waived when Amy reapplies. At the end of November the Animal Control Officer will have a report on performance, a status of Suzie will be provided; and if the collars are acceptable in terms of barking a condition can be allowed for the fourth dog, Missy, who is over ten years old, and completion of the slats in the fencing.

Ruzek moved to approve the Special Three Dog License subject to the following conditions: 1) This Special Three Dog License shall be limited to the dogs currently residing in the home; 2) All dogs shall have current licenses obtained from White Bear Township; 3) All dogs shall have current rabies vaccinations; 4) The premises shall be cleaned of all feces on a daily basis. Unreasonable noise, odors or other annoyances shall be prohibited for the protection of public health and safety; 5) This Special Three Dog License shall expire on December 4, 2017. Application for renewal shall be completed prior to that date; 6) The Special Three Dog License shall be re-inspected by the Animal Control Officer and reviewed by the Town Board by December 4, 2017 to insure compliance; 7) White Bear Township reserves the right to revisit the action to approve this Special Three Dog License if complaints are received during the license period; 8) State, Federal and local laws and ordinances shall be complied with; 9) Completion of the installation of the slats in the fencing; 10) Applicant will control the barking by having someone with the dogs when they are let out in the yard or dog collars, or other workable solution; 11) That Suzie, the American Eskimo be relocated by December 4, 2017. Prudhon seconded. Ayes all.

**7:30 P.M. PUBLIC HEARING – TIF DISTRICT #22 – MODIFICATION OF DISTRICT #22:** The Public Hearing was continued at 8:15 p.m. The Clerk noted that the Town Board opened the Public Hearing on August 28<sup>th</sup>, opened the public portion of the hearing, closed the public portion, and at the request of the applicant continued the hearing to tonight.

The Clerk reported that in December 2012 The Town created TIF District #22 for the purpose of facilitating the development of expansion of existing facility at Water Gremlin that also included removal of three substandard structures, improvement of parking and driveway access and pedestrian and bike improvements. That project included a 72,000 square foot manufacturing facility. The Financing Plan that was adopted as part of the creation of that TIF District was designed and computed for that 72,000 square foot facility as well as modifications to the existing facility. Water Gremlin has recently decided that they would like to double the size of that building as well as acquire a neighboring substandard structure (with conflicting zoning). They applied for assistance from White Bear Township in the form of amending the 2012 Development Agreement and amending the Financing Plan. Tonight the action of the Town Board would be to consider amending the Financing Plan for TIF District #22 to

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accommodate the additional expenditures associated with acquiring additional substandard structures, to facilitate the developing of 72,000 square feet of light manufacturing. The amendment requires a hearing before Plan can be adopted.

Ruzek moved to close the Public Hearing. Prudhon seconded. Ayes all.

Ruzek moved, based on TIF Attorney and Staff review and recommendation to adopt the Resolution Amending and Restating the Tax Increment Financing Plan for Tax Increment Financing District No. 22. Prudhon seconded. Ayes all.

**7:40 P.M.- PUBLIC HEARING – CONDITIONAL USE PERMIT REQUEST AT 5350 HIGHWAY 61 – TO ALLOW CONSTRUCTION OF HANDMADE FURNITURE:** The Public Hearing was held at 8:30 p.m. Prudhon moved to waive the reading of Public Notice noting that proper publication was made. Ruzek seconded. Ayes all. Prudhon moved to open the Public Hearing Ruzek seconded. Ayes all.

The Planner reported Mr. Putnam is requesting approval of a Conditional Use Permit and Zoning Ordinance amendment which would permit him to lease space in the Electric Cords Building at 5350 Highway 61. The space is zoned B-2, General Business. Mr. Putnam makes custom built tables and other furniture. He is proposing to lease 1,000 square feet of the building for his business. Currently furniture construction is not a permitted or conditional use in the B-2 Zoning District. The first action needed would be to add custom furniture construction to a list of Conditional Uses in the B-2 Zone, then to approve a Conditional Use Permit to allow Mr. Putman to run his business in the building. Upon reviewing the Public Hearing Notice, it was noticed that the mailing was not complete. No everyone within 350 feet of this property was mailed notice, which is a requirement of law. The request has been recommended for approval by the Planning Commission but it is recommended that the Public Hearing be continued to October 2, 2017. Prudhon asked if furniture construction is covered under I-1. The Planner stated that office chair manufacturing which is specific to another business in that building is covered. This request would fall under manufacturing and light industrial but not under general business.

Kermes noted that for Public Hearings the Town has to notify potentially affected residents living within 350 feet of the proposed facility. The Town has a system from Ramsey which normally provides all the addresses. For this application it missed a number of addresses on the east side of the building. Technically the Town cannot complete the Public Hearing because those people have not been notified.

Ruzek moved to continue the Public Hearing to Monday, October 2, 2017 at 7:20 p.m. Prudhon seconded. Ayes all.

**7:50 P.M. – PUBLIC HEARING – CONDITIONAL USE PERMIT REQUEST AT 5350 HIGHWAY 61 – TO ALLOW INDOOR STORAGE AT A COMMERCIAL BUILDING:** The Public Hearing was held at 8:40 p.m. Prudhon moved to waive the reading of Public Notice noting that proper publication was made. Ruzek seconded. Ayes all. Prudhon moved to open the Public Hearing. Ruzek seconded. Ayes all.

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The Planner reported that this Public Hearing is affected by the same notification error. He stated that the request is for approval of a Conditional Use Permit which would allow space to be leased in the building for long-term indoor storage. The proposed storage space is in the portion of the building vacated by Westin Nielson. The area proposed for storage is 17,000 square feet. The total building area is 78,000 square feet. The Planning Commission reviewed the request and recommends approval. The Public Hearing will have to be continued to October 2, 2017 due to notification error.

Ruzek moved to continue the Public Hearing for approval of Conditional Use Permit Request at 5350 Highway 61 to allow indoor storage at a commercial building to Monday, October 2, 2017 at 7:30 p.m. Prudhon seconded. Ayes all.

**8:00 P.M. – PUBLIC HEARING – NUISANCE ABATEMENT HEARING FOR 1719 WHITAKER:**

The Public Hearing was held at 8:50 p.m. Prudhon moved to waive the reading of Public Notice noting that proper publication was made. Ruzek seconded. Ayes all. Ruzek moved to open the Public Hearing. Prudhon seconded. Ayes all.

The Town Attorney reported that this matter was discussed at the August Executive Workshop. This is a situation where the owner of the property was moved out of the house and hospitalized. There was concern about a water leak which required remedial action. An Abatement, Assessment and Compliance Agreement was prepared and signed by the property owner which authorizes the Town to enter upon the property to remove all water damaged personal property, including, but not limited to, carpet, damaged building materials and all mold infested and water soaked objects; to shut off the water; to conduct a further inspection of the building to determine what additional abatement measures are necessary; and to take any other abatement measures which the Town, at its sole discretion, determines are necessary to avoid further damage to the property, as well as surrounding real property.

Mike Johnson, Town Code Enforcement Officer and Building Official, reported that on August 24, 2017 the Town issued an Abatement Order declaring the property as uninhabitable. Currently the property owner has signed the Agreement the Town Attorney prepared. She has given the Town permission to access the property and abate the nuisance. Prudhon asked if the property owner has signed the Service Master Agreement. Because of the condition of the interior of the property the full extent of the damage cannot be determined at this point. Removal of some of the personal property will be necessary to assess the damage. The Town Attorney reported that the property owner would not need to sign the Service Master Agreement. This is between the Town and Service Master. The Agreement will need to be adjusted to indicate that the actual party is the Township. Any cost that the Town incurs could be added as a special assessment to the property. The Clerk noted that the property owner's signature to the Abatement, Assessment and Compliance Agreement authorizes the Town, its agents and employees, to enter upon the property for the reasons which were reviewed earlier by the Town Attorney. If she cannot pay the costs she is agreeable to having the costs added to her taxes. Prudhon asked if technically the Town Board could proceed with this. The Town Attorney stated that is correct according to the way the agreement was drafted. Ruzek asked the Building Official if he would be meeting with Service Master on site to see what needs to be done. Mr. Johnson reported that Service Master quoted a price to remove the personal property at \$45 per man

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hour; they propose four men at \$180 per hour; 40 yard dumpster at \$600.00; three full work days with one dumpster on the job site estimated to be \$5,000. To comply with the Town's purchasing policy an evaluation needs to be done to determine what needs to be mitigated, such as mold and water damage. He reported that he plans on supervising the work. Ruzek asked if the property owner would have a personal representative present for review of the personal property, whether it should be disposed of or kept. The Town Attorney stated that the signed authorization is enough. He stated that prior to any action it should be established if a conservator or guardian has been appointed for her or a power of attorney. He stated that the day before the work commences it should be verified with the courts that no petition for guardianship has been filed on her behalf. He stated that the property owner is competent but just not in good health. The Building Official concurred. Mr. Johnson stated that the contractor informed him today that according to the agreement the Town is required to notify her of the Town's intention. He stated that if approved by the Board the work will start mid-week next week. The property owner will be provided written notice of the Town's intention. Prudhon asked where the personal property loaded into the dumpster would go. The Code Enforcement Officer stated that the contractor informed him that all the personal items in the house are not salvageable. Everything must go. The Town Attorney noted that the Agreement signed by the property owner states that any personal property removed from the property in accordance with the terms of the agreement may be disposed of by the Town as it deems appropriate. The owner waives claims of any kind to the ownership of the personal property which is disposed of by the Town. Kermes noted that under the contract the Township can dispose of the property under the terms, but felt that there is a reasonable issue to try to contact an agent or representative for the property owner. The Town Attorney will take care of this in the morning. The Clerk noted that there is a three day notice of commitment after reviewing the terms of the agreement.

Mr. Johnson stated the property owner is rehabilitating in an assisted living facility after being in the hospital. He stated that he has been in contact with the facility social worker who presented the document to the property owner for her signature. Ruzek stated that his preference would be that there is a witness to the signature. The Town Attorney reported that there is a social worker who has been guiding the property owner (Susan Crowley) through the procedure. He stated that he will contact the social worker, get the facts behind the signature and have her sign an affidavit to that effect. Ruzek stated that will eliminate any concerns. The Building Official stated that it is "hit or miss" when contacting the social worker. He has left messages to contact him and to forward over the information in the attachment to the Service Master Agreement and has not received a response. The Town Attorney will send over a notice of the Town's intention to act and will prepare a short acknowledgment that Ms. Crowley can sign with a witness.

Prudhon moved to open the public comment portion of the Public Hearing. Ruzek seconded. Ayes all.

Pat Gaglin, 1721 Whitaker Street, a neighbor of Susan Crowley's property reported that a representative of Service Master came out to enter Susan's property. He entered and exited a few minutes later stating that there is much dog and cat feces and urine and could not get to the second floor. She reported that the neighbors have informed their insurance carrier of the situation in the event there is mold etc. The Building Official stated that until Service Master can get in there and start their work it is not known if there is any water damage to common walls.

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He stated that his initial review showed that there may need to be drywall removal. If it is a bigger cost the Town will need appropriate bids to complete the abatement. So far it is not known the extent of the damage. The walls are two layers of 5/8ths inch of drywall between the two units and another layer on each side as an interior finish. There are four layers of 5/8ths drywall between each unit.

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

Prudhon moved, based on Town Attorney review and recommendation to authorize execution of the Abatement, Assessment & Compliance Agreement and direct the Township Building Official to carry out the terms of the Agreement, acknowledging that an affidavit signed by the property owner and witness will be obtained. Ruzek seconded. Ayes all.

**NANCY HAUER, 1990 RIDGEWOOD AVENUE – ORDINANCE NO. 86 DISCUSSION:**

The Clerk reported that Nancy Hauer wrote a letter of observation of concerns regarding discharge of firearms as well as trapping. He provided an overhead showing the location of the concerns which included the property owned by Nancy Hauer and property owned by White Bear Township which is vacant and wooded. Nancy Hauer stated that there are also other vacant, wooded properties that other people own. She stated that she has lived at 1990 Ridgewood Avenue since 1981. In the early 1980's she bought the wooded property to keep undeveloped as a nature preserve. Other neighbors own the remaining area of the woods. There is a dirt road going back into the woods and people would not even know that it was there if they did live in the neighborhood. Kids play in the woods and people walk their dogs. Her purpose is to leave it as natural environment. Gunshots have been heard from the woods for many years. She has been aware of the gunshots beginning about 10-15 years ago. They used to be sporadic and either in the middle of the night or around dawn. They have increased in the last two years. She does have confirmation of others hearing gunshots as well. She feels that someone may have some knowledge of who is doing this but for their own reasons do not want to come forth. At times they are heard every day, sometimes in the early evening when it is still light and children may be playing in the woods or neighbors may be walking their dogs on the path near the railroad tracks. Her backyard is also wooded and is frequented by gray foxes and deer. During the last year, she has seen a gray fox missing a foot in her yard, and on another occasion, saw a deer missing a hoof. Animals missing feet indicate the presence of large steel traps. At another time she saw a freshly dead doe in the woods, which was gone the next day, so apparently was not from natural causes. She also found an uninjured dead fawn, which indicates that its mother was unable to return after grazing. Gray foxes den in her back yard every year. During the last couple of years they have waited until the young are at an older than usual age to take them to practice hunting. Recently the gunshots seem to be coming from the area close to Bald Eagle Avenue where the animals cross the railroad tracks to the wood on the other side of Bald Eagle Ave. near White Bear Lake North Campus High School. High school kids walking to and from school also frequent these woods during the school year. This topic has been brought up with the Ramsey County Sheriff's Office for many years during neighborhood Night to Unite picnics. They said to call 911 when gunshots were heard. This was done but there was always a delay before they came at all, so it was impossible to direct them to an exact location where the gunshots were coming from. Most likely the shooter would be

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gone by then. Nancy Hauer stated that she did talk with the Township office to see if something could be published. Office staff told her that it might be best not to publicize it because it would only bring attention to the area and possibly cause more problems. Hunting is illegal in White Bear Township and she asked if the Township could publish and post the Township land as "no hunting or trapping" and refer to the ordinance prohibiting it. She stated that she posted her land but it was completely ignored. She stated that previously she was not afraid to go out there at night but now is afraid.

Kermes asked if there is only one shot or repeated shots. Nancy Hauer stated that it sometimes there would be one shot and maybe another few but never for a long period of time. Kermes stated that the Township will follow up on responses to these types of specific calls. He asked Nancy Hauer if she has seen any traps. She stated she has not. She stated that there is a lot of undergrowth where traps could be placed. She stated that she did speak to someone from the City of Grant who found a trap in that city and had people scouting the place for traps. Prudhon asked if she has noticed if she has seen any dogs. She stated she has seen loose dogs. Prudhon stated that dogs will disrupt animal behavior that may alter animal pattern. Prudhon stated that normally this behavior is from a neighbor who is familiar with the area. Kermes stated that trapping is allowed in the Township but only under controlled conditions. The Town follows the State's hunting and trapping regulations which are specific on the type of equipment to be used and users have to be licensed. If a trap is lawfully placed there should be a sign stating that there is a trap in the area and where it is located. He noted that tonight's meeting is being cablecast so people could be listening and being made aware of the concerns.

Betsy Larey, 1302 N. Birch Lake Boulevard, City of White Bear Lake stated that one reason poaching is going on is because they do hunt in Tamarack. On North Birch Lake Blvd they did catch someone there five or six years ago. When she called the Ramsey County Sheriff's Office about Tamarack she was told they were aware of it. She asked if the Town could "lean" on them a little bit.

Theresa Arfi, 1950 Ridgewood Avenue stated that she lives a few doors down from Nancy and her back yard is adjacent to where this is going on. She stated that she has a granddaughter that she walks in the woods with and her dog on a leash. She has seen a deer with a foot missing. This piece of land is a direct corridor from the Tamarack Nature Center. The deer run down along the railroad tracks and then come back and just lay in the yard. She stated that deer do not cause a disturbance but she feels that they are afraid of going into the woods so are coming into back yards. She stated that there are at least 15 kids under the age of 12 years along their street. They run in the woods. They do not run on the path, they run into the woods. If traps are being set out there it is dangerous. She stated that she has called the Sheriff's Office, not about gunshots, but another matter, and it was one hour before anyone came. She stated that although she has not called about gunshots she has heard them from her house. She stated that she did not know what area it came from. She only heard them during the night and they were sporadic. It was not target shooting. She has never found a target but she has found shells there.

Kermes explained that although the Town has an ordinance which prohibits discharging weapons, the Town does allow controlled deer hunts each year using bow and arrow. Ramsey

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County conducts these hunts and the Town approves both the areas and dates of the hunts. Hunting is not done in these woods or residential areas. The hunts are in the fall of the year and the bow hunters are trained experienced hunters. Therese Arfi stated that she teaches classes at Tamarack Nature Center and she feels that posting is an important issue. She stated that when hunting is going on at Tamarack there are signs everywhere and it is very obvious that people should be careful.

Christine Johnson, 1930 Ridgewood Avenue, stated that she lives a few houses down from Nancy's. She has four children and is concerned about their safety. She has heard the gunshots over years, only occasionally, not in succession.

April Aurelius, 1990 Ridgewood Avenue, stated that she is Nancy Hauer's granddaughter and has heard the gunshots and that they are scary.

Jen Denker, 1908 Ridgewood Avenue, stated that she has three children who play in the woods. There are over 25 kids who play in the woods. She has heard the sounds. The last time they heard them was late at night and was unusually loud. It seemed louder than a gunshot. It is always random and always at night. She almost felt it was an explosion but did not call 911. She stated that she is concerned. She stated that since this is such a big area it is hard to report where the sounds came from. Betsy Larey stated that the City of White Bear Lake just passed an ordinance prohibiting trapping. She asked if the Town would.

Kermes told Nancy Hauer and the others in attendance that staff will follow up with the Sheriff's Office regarding responding to calls. There will also be discussion regarding posting and publication. Prudhon asked if the DNR could be called to have a game warden come out and review the area to see if there are any set traps and provide an overview to the Town of what can be done. Nancy Hauer asked if there is trapping allowed on other private properties. Kermes stated that there have been no requests. The Clerk reported that the use of traps on private property is regulated by the DNR and does not know if that neighborhood would even qualify. The Town would allow trapping on public property but is highly regulated and for wildlife management only. The DNR licenses trapping but does not grant a permit to trap on private property without permission of the private property owner. Nancy Hauer asked if there was more than one ordinance. The Town Attorney explained that there is an ordinance that prohibits the discharge of weapons (includes firearms) in the Township. Another ordinance regulates trapping, as was just discussed.

Kermes stated that there will be follow up with the Sheriff's Office, contacting the DNR, posting, and publication.

**HAMMOND ROAD CUL-DE-SAC & WHITE BEAR PARKWAY STORM SEWER: 1) RECEIVE QUOTES; 2) AWARD CONTRACT:** The Town Engineer reported that quotes were received on September 12, 2017 for the Hammond Road and White Bear Parkway Storm Sewer Improvements project. The three quotes were provided by Jeanetta & Sons Excavating in the amount of \$41,050.00; Penn Contracting, Inc. for \$45,781.00; and Northdale Construction Co., Inc. for \$52,856.50. The low bid was received from Jeanetta & Sons, Inc. The project is below the Engineer's estimate and is within the amount budgeted (\$50,000). TKDA will work with Public

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Works and perform the construction observation for an amount not to exceed \$4,900.00. The project will start next week with the White Bear Parkway portion of the project done first because it has the most traffic. The work is above and beyond the equipment and what Public Works can provide.

Ruzek moved to receive all quotes for the Hammond Road cul-de-sac and White Bear Parkway storm sewer. Prudhon seconded. Ayes all.

Ruzek moved, based on Town Engineer review and recommendation to award the contract to low bidder, Jeanetta & Sons Excavating for their quote of \$41,050, with funding from the Storm Water Utility Fund. Prudhon seconded. Ayes all.

Ruzek moved to authorize TKDA to perform construction observation in an amount not to exceed \$4,900. Prudhon seconded. Ayes all.

**2018 BUDGET – RESOLUTION REDUCING TAX LEVY PURSUANT TO MINNESOTA STATUTES, SECTION 475.61:** The Clerk reported that the Township has issued one general obligation bond, which if funds are not available to pay the debt, would require the Town to levy property taxes to fund the payment. The Town does have the funds available to pay the debt. The Town must pass a resolution demonstrating how much and what issues the Town does not plan to levy taxes for. The debt levy reduction is required by Minnesota Statute, Section 416.61. The debt issue affected by this statute is the 2011C Tax Increment Refunding Bond. In total the Town would be required to levy \$14,007.06 in property taxes in 2018 for this debt issue if the Town did not have the funds on hand to pay for all of the 2018 debt payments. The resolution, if passed, will reduce the Town's 2018 debt levy by \$14,007.06 and will result in the Town not levying for debt in 2018.

Prudhon moved, based on Finance Officer's review and recommendation to adopt the Resolution Reducing Tax Levy Pursuant to Minnesota Statutes, Section 475.61, Subd. 3, in the amount of \$14,007.06. Ruzek seconded. Ayes all.

**PROBATIONARY PERIOD – LYNETTE OLINGER, FINANCE ANALYST:** The Clerk reported that the Town's personnel policy require newly hired employees to serve a six month probationary period. Lynette Olinger was hired and started working for the Town on March 20, 2017 as the Town's new Finance Analyst. Lynette is still learning some of the job duties and has been performing the essential job functions at or above expectations. Having her in this position has allowed the Town to strengthen some of the internal controls in the finance area to reduce the possibilities of mismanagement of Town funds. In addition, her knowledge and willingness to take on tasks has improved efficiencies within both the finance department and Town operations. Lynette works very well with other staff and is friendly with customers. The Finance Officer and Town Clerk recommend Lynette for regular full-time employment.

Ruzek moved, based on Staff review and recommendation to appoint Lynette Olinger to Township service as a full-time employee. Prudhon seconded. Ayes all.

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**OPEN TIME:** Ronald Ulbrich, 5735 Birch Road, appeared before the Town Board to submit his resignation from the Planning Commission effective September 28, 2017. He reported that due to selling his house and leaving for Arizona he would not be available for meetings. Mr. Ulbrich reported that he will be returning to Minnesota in the spring to look for a new house. He thanked the Board for the opportunity to serve on the Planning Commission. He stated that the Town is very efficiently run and complimented the Planner on his knowledge and assistance to the Planning Commission.

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

Prudhon moved to adjourn the meeting at 9:41 p.m. Ruzek seconded. Ayes all.

Respectfully Submitted,

William F. Short  
Clerk-Treasurer

Approved as Official Meeting Minutes

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

\_\_\_\_\_  
Date



**Town Board Meeting  
October 2, 2017**

**Agenda Number: 5A – Consent Agenda**

**Subject: Call Special Town Board Meeting & Reschedule Executive Meeting** – Call Special Town Board Meeting for Friday, November 17, 2017, Beginning at 11:30 a.m. to Attend the Annual Employee Recognition Luncheon & Reschedule the November Executive Meeting to Friday, November 17, 2017, to Begin Following the Employee Recognition Luncheon Due to the Thanksgiving Holiday

**Documentation:** Notice

**Action / Motion for Consideration:**

Receive Information / Discuss

Call Special Town Board Meeting for Friday, November 17, 2017, Beginning at 11:30 a.m. to Attend the Annual Employee Recognition Luncheon & Reschedule the November Executive Meeting to Friday, November 17, 2017, to Begin Following the Employee Recognition Luncheon Due to the Thanksgiving Holiday



## **PUBLIC NOTICE**

### **Special Town Board Meeting & Rescheduling of Executive Meeting**

**Friday, November 17, 2017**

**Beginning 11:30 a.m.**

**At**

**Township Administrative Offices  
1281 Hammond Road  
White Bear Township MN 55110**

- **Employee Appreciation Luncheon With Executive Meeting to Follow**



**Town Board Meeting  
October 2, 2017**

**Agenda Number: 5B – Consent Agenda**

**Subject: 5685 Portland Avenue – Call Special Town Board Meetings for 12/4/17 Through 12/8/17 From 9:30 a.m. Until 4:00 p.m. to Allow Possible Attendance at Commissioner’s Hearings**

**Documentation: Public Notice**

**Action / Motion for Consideration:**

Receive Information / Discuss

**5685 Portland Avenue – Call Special Town Board Meetings for 12/4/17 Through 12/8/17 From 9:30 a.m. Until 4:00 p.m. to Allow Possible Attendance at Commissioner’s Hearings**



## **Public Notice**

### **Special Town Board Meetings**

**Monday December 4, 2017  
thru  
Friday, December 8, 2017**

**From 9:30 a.m. – 4:00 p.m.**

**At**

**Kelly & Lemmons, P.A.  
223 Little Canada Road E, Suite 200  
Little Canada  
Arden Hills MN 55112**

◆ **To Attend Commissioner's Meetings**



**Town Board Meeting  
October 2, 2017**

**Agenda Number:** **5C – Consent Agenda**

**Subject:** **2514 South Shore Boulevard** – Call Public Hearing for Monday, October 16, 2017 @ 7:40 p.m. to Consider a 5' Side Setback Variance to Allow Construction of a Single Stall Garage

**Documentation:** Public Notice

**Action / Motion for Consideration:**

Receive Information / Discuss

Call Public Hearing for Monday, October 16, 2017 @ 7:40 p.m. to Consider a 5' Side Setback Variance to Allow Construction of a Single Stall Garage



**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 October 16, 2017 @ 7:40 p.m., to consider a 5' side setback variance to construct a single stall garage on the following described property lying and being in the Town of White Bear, Ramsey County, Minnesota:

Lot 4, Block 4, Bellaire Second Addition, Ramsey County, Minnesota

(2514 South Shore Boulevard)

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 2<sup>nd</sup> day of October, 2017.

BY ORDER OF THE TOWN BOARD OF SUPERVISORS

\_\_\_\_\_  
WILLIAM F. SHORT, Clerk-Treasurer



**Town Board Meeting  
October 2, 2017**

**Agenda Number: 5D – Consent Agenda**

**Subject: 2707 South Shore Boulevard** – Call Public Hearing for Monday, October 16, 2017 @ 7:50 p.m. to Consider a 15' Right-of-Way Setback Variance, a 5' Side Yard Setback Variance & a 40'6" Lakeshore Setback Variance to Allow Demolition of the Existing Home & Construction of a New Home

**Documentation:** Public Notice

**Action / Motion for Consideration:**

Receive Information / Discuss

Call Public Hearing for Monday, October 16, 2017 @ 7:50 p.m. to Consider a 15' Right-of-Way Setback Variance, a 5' Side Yard Setback Variance & a 40'6" Lakeshore Setback Variance to Allow Demolition of the Existing Home & Construction of a New Home



**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 October 16, 2017 @ 7:50 p.m., to consider a 15' right-of-way setback variance, a 5' side yard setback variance, and a 40' 6" lakeshore setback variance to demolish an existing home and construct a new home with a building footprint of 2,387 square feet on the following described property lying and being in the Town of White Bear, Ramsey County, Minnesota:

Lot 43, Block 1, Bellaire Addition, Ramsey County, Minnesota

(2707 South Shore Boulevard)

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 2<sup>nd</sup> day of October, 2017.

BY ORDER OF THE TOWN BOARD OF SUPERVISORS

\_\_\_\_\_  
WILLIAM F. SHORT, Clerk-Treasurer



**Town Board Meeting  
October 2, 2017**

**Agenda Number: 5E – Consent Agenda**

**Subject: 1210 County Road J – Call Public Hearing for Monday, October 16, 2017 @ 8:00 p.m. to Consider Approving a Conditional Use Permit to Allow Massage Therapy**

**Documentation: Public Notice**

**Action / Motion for Consideration:**

Receive Information / Discuss

Call Public Hearing for Monday, October 16, 2017 @ 8:00 p.m. to Consider Approving a Conditional Use Permit to Allow Massage Therapy



**NOTICE OF HEARING REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW MASSAGE THERAPY 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, 4200 Otter Lake Road, in said Town on Monday October 16, 2017 @ 8:00 p.m., to consider approving a Conditional Use Permit to allow massage therapy in an area lying and being in the Town of White Bear, Ramsey County, Minnesota:

Lot 3, Block 1, Township Theatre Shops, Ramsey County, Minnesota

(1210 County Road J)

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 2<sup>nd</sup> day of October, 2017.

BY ORDER OF THE TOWN BOARD OF SUPERVISORS

\_\_\_\_\_  
WILLIAM F. SHORT, Clerk-Treasurer



**Town Board Meeting  
October 2, 2017**

**Agenda Number:** **5F – Consent Agenda**

**Subject:** **Water Efficiency Rebates** – Authorize Rebates for the Town’s Portion of the Rebate Program (25%) For Those Applications Received Prior to the Program End Date But After Grant Funds Had Been Expended

**Documentation:** None

**Action / Motion for Consideration:**

Receive Information / Discuss

Authorize Rebates for the Town’s Portion of the Rebate Program (25%) For Those Applications Received Prior to the Program End Date But After Grant Funds Had Been Expended



## Town Board Meeting October 2, 2017

**Agenda Number:** 5G – Consent Agenda

**Subject:** Benson Airport Operation Plan – Receive Annual Report

**Documentation:** Report

### Action / Motion for Consideration:

Receive Information / Discuss

Receive Annual Report

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**Minutes**  
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**BENSON AIRPORT OPERATION PLAN – ANNUAL REPORT:** The Planner reviewed the Benson Airport Operation Plan Annual Report and stated that they have no changes to the operational plan for the airport. There are 25 aircraft on the airport at this time and still several under restoration. One change in use has been to the operation of the Metropolitan Mosquito Control District's use of the airport. They have been storing fuel for use by the helicopters. The tank is an approved fuel tank system and is positioned near the airport fuel tank with the proper safety equipment in place. The Metropolitan Mosquito Control District has also been using the airport for the calibration of the dispersal systems of the product that fights the mosquitoes. In conversation with the Manager of the operation he said that they are saving time and money for the District by this use of the airport. No problems have been encountered. The Benson Airport Association thanks the Township for their continuing support of the airport and with that commitment they will continue to maintain a safe and friendly operation for everyone in the area.

September 28, 2017

Hi Tom,

We have made no operational changes to the airport. The airport is operating quietly and without any known major complaints.

The number of aircraft at the airport continues to maintain at about 20.

The Metropolitan mosquito control continues to use the airport as one of its operational sites and were here last week to calibrate the helicopters. The airport seems to be an excellent site for their operations and calibration.

The water tower project seems to be about finished with no apparent problems with our operations.

Again thank you for the Townships continuing support of the airport. We at the airport look forward to continue working together with township to keep the airport operating as a safe and clean asset for everyone.

Respectfully

Darryl LeMire

President, Board of Directors



**Town Board Meeting  
October 2, 2017**

**Agenda Number: 5H – Consent Agenda**

**Subject: Right-of-Way Permit** – Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve Comcast Permit to Replace Underground Coaxial Cable Line to Service the Resident at 1303 North Birch Lake Boulevard Including Directional Boring

**Documentation:** Town Engineer Correspondence / Map

**Action / Motion for Consideration:**

Receive Information / Discuss

Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve Comcast Permit to Replace Underground Coaxial Cable Line to Service the Resident at 1303 North Birch Lake Boulevard Including Directional Boring



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

September 27, 2017

Honorable Chairman and Town Board  
White Bear Township, Minnesota

Re: Comcast Permit Application  
1303 North Birch Lake Boulevard  
White Bear Township, Minnesota  
TKDA Project No. 16327.000

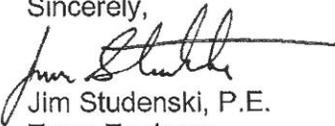
Dear Board Members:

TAK Communications is submitting for Comcast an application for a permit to replace underground coaxial cable line to service a resident at 1303 North Birch Lake Boulevard. Work will include directional boring under North Birch Lake Boulevard.

We recommend approval with the following conditions:

1. Construction must protect North Birch Lake Boulevard during the boring process.
2. Construction must protect residential driveways during the construction process.
3. Construction activity will be in both White Bear Township and White Bear Lake.
4. The serviced residence is in White Bear Lake and will require a permit from them.
5. Disturbed areas shall be restored equal to or better than original condition.
6. 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.
7. Call Gopher One-Call prior to any work.

Sincerely,

  
Jim Studenski, P.E.  
Town Engineer

Enclosures

PERMIT NO. \_\_\_\_\_ CITY OF WHITE BEAR 1001

APPLICATION FOR PERMIT FOR INSTALLATION OF UTILITIES  
OR FOR PLACING UNDERGROUND CONSTRUCTION

Name of Party or Organization performing work COMCAST / TAK  
Address \_\_\_\_\_ Telephone No \_\_\_\_\_

ON NORTH  
SIDE OF  
BIRCH.

1. Nature of Work BORE UNDER BIRCH LAKE FROM TAP ON SOUTH SIDE TO HOME  
Type of Surface to be Disturbed \_\_\_\_\_  
(Check type)  Gravel  Bituminous  Concrete  Boulevard

2. Location \_\_\_\_\_  
Street, Avenue, and House number 1303 N BIRCH LAKE BLVD  
(Additional Information attached when necessary)

3. Size and kind of pipe, conduit or cable \_\_\_\_\_ 1"  
Depth from Surface (Min. 18") \_\_\_\_\_ 24"

4. Method of Installation or Construction (Including method of compaction & excavation)  
Plow  
Pneuma Gopher & Tamper XX  
Directional Bore

5. Work to start within when permitted days and completed within 120 days thereafter

6. Will detouring of traffic be necessary? NO If so describe rerouting

CITY ENGINEER:

Jim STUDENSKI @ TKDA  
PHONE # (651) 292-4503

EMAIL Jim.studenski@TKDA.com

For Comcast

Signed by Bill Dezel

Dated 9-11-17

The date when work is completed must be reported to the person designed by municipality.

**AUTHORIZATION OF PERMIT**

Upon payment of permit fee in the amount of \$ - \_\_\_\_\_ and in consideration of the agreement to comply in all respects with the Street or Alley excavation ordinances and regulations applicable covering such operations, permission is hereby granted for the work to be done as described in the above application, said work to be done in accordance with special precautions required, as hereby stated:

It is expressly understood that this permit is conditioned upon replacement or restoration of the disturbed area to its proper condition in accordance with the appropriate rules and regulations.

APPROVED \_\_\_\_\_

DATED \_\_\_\_\_

# DROP BURY / SITE SURVEY FORM

PLEASE FILL OUT FORM COMPLETELY

CITY	ACCT #	NODE	TECH#	DATE
WHITE BEAR LAKE	8772105410379461	HJ 10-3	227	9-9-17

SUB NAME	ADDRESS	PHONE #
Scott HAFNER	1303 N BIRCH LAKE BLVD	651-497-5218

SFU

DUPLEX

QUAD

ARIAL > UG

SW BORE LENGTH

DW BORE LENGTH

ROAD/ALLEY BORE

CALL B4 BURY

NEEDS MAST?

WHY IS BURY NEEDED

NEW INSTALL

DROP LENGTH

OUTLET LENGTH

ALL OUT?

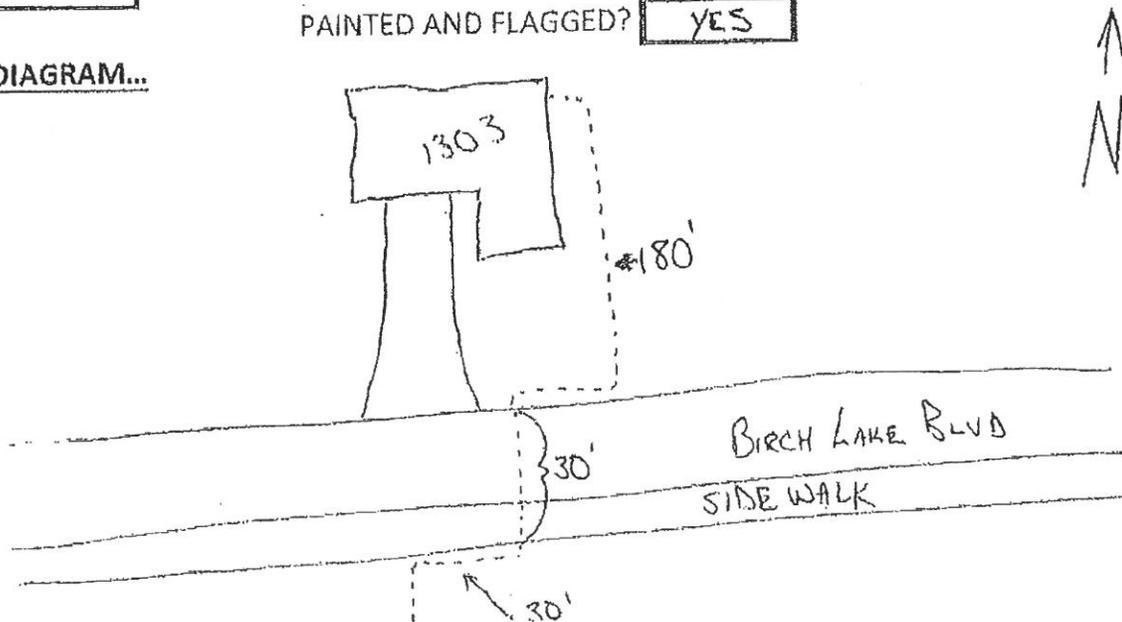
INSTALL PENDING?

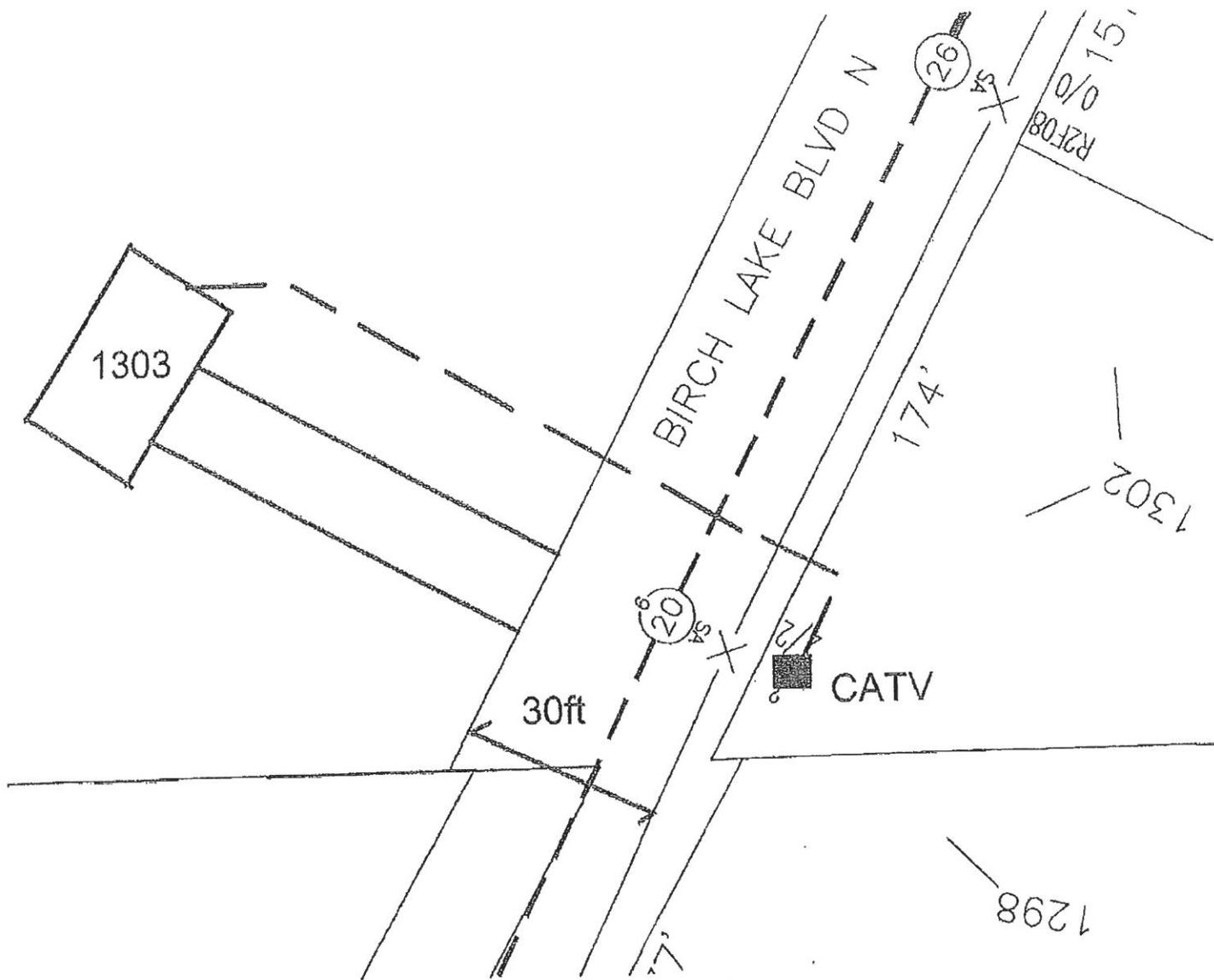
PRE-BURY

SPRINKLER	DOG FENCE	LANDSCAPING
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

PAINTED AND FLAGGED?

DIAGRAM...







**Town Board Meeting  
October 2, 2017**

**Agenda Number: 6 – Old Business**

**Subject: None**

**Documentation:**

**Action / Motion for Consideration:**



**Town Board Meeting  
October 2, 2017**

**Agenda Number: 7A – New Business**

**Subject: 7:10 p.m. Public Hearing – Annual Presentation of the  
Town’s Storm Water Pollution Program**

**Documentation: None**

**Action / Motion for Consideration:**

- Open Public Hearing
- Open Public Comment Portion – Ask for Comments
- Continue the Public Hearing for the Annual Presentation of the Town’s Storm Water Pollution Program to **Monday, October 16, 2017 @ 7:30 p.m.** Allow for Publication

Town Engineer Report



**Town Board Meeting  
October 2, 2017**

**Agenda Number: 7B – New Business**

**Subject: 7:40 p.m. Public Hearing Continuation – Conditional Use Permit Request @ 5350 Highway 61 – To Allow Construction of Handmade Furniture**

**Documentation:** Staff Memo / E-mail  
CUP Application  
Public Notice / Resident Letter / Mailing List / Map  
Affidavit of Publication  
Proposed Conditional Use Permit / Zoning Certificate / Requirements

**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 Hearing

**Town Planner Report at Meeting**

Based on Planning Commission & Staff Review & Recommendation Approve the Conditional Use Permit / Zoning Certificate With Attached Requirements for James Putnam Which Allows Him to Construct Handmade Furniture in the Electric Cords Building Located at 5350 Highway 61

## MEMORANDUM

**TO:** PLANNING COMMISSION  
**FROM:** TOM RIEDESEL  
**DATE:** AUGUST 24, 2017

**SUBJECT:** HANDMADE FURNITURE BUSINESS

**REQUESTS:** CONDITIONAL USE PERMIT & ORDINANCE AMENDMENT

**LOCATION:** 5350 HIGHWAY 61  
**OWNER:** C.T. PROPERTYS – ELECTRIC CORDS BUILDING

**ZONING:** B-2 – GENERAL BUSINESS  
**APPLICANT:** JAMES PUTNAM

Mr. Putnam is requesting approval of a Conditional Use Permit and Zoning Ordinance Amendment which would permit him to lease space in the Electric Cords Building, 5350 Highway 61. Mr. Putnam makes custom built tables and other furniture. He is proposing to lease 1,000 square feet of the building for his business.

The Electric Cords building is zoned B-2 – General Business. Currently the Zoning Ordinance does not permit this type of use in the B-2 Zone. Office chair manufacturing is a Conditional Use in the zone however. The Zoning Ordinance was amended to allow office chair manufacturing in the B-2 Zone in order to accommodate the Westin Nielson manufacturing business which was previously located within the Electric Cords Building. Westin Nielsen went out of business several years ago. There is currently an office chair manufacturing business within the building (Kutzke Furniture).

In order to permit Mr. Putnam's business, the Zoning Ordinance must be amended to add this use. Specifically, Section 6-5, Conditional Uses in the B-2 Zone should be amended adding: Custom Furniture Manufacturing. If the Zoning Ordinance is amended to allow this use, a Conditional Use Permit must also be approved.

When Westin-Nielson's Conditional Use Permit was approved in 2008 it was subject to the following requirements:

1. This Conditional Use Permit shall only be extended to the present owners and operators of this business.
2. Truck traffic shall follow the one-way system as the parking lot signs indicate.
3. No on-street parking of employees, visitors or trucks shall be allowed.

4. All refuse shall be stored in the building.
5. Truck deliveries shall occur only between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday. Parking and idling of delivery trucks outside of these hours is prohibited.
6. The dust collection system shall be completely internalized with no vents to the outside of the building.
7. All use and storage of chemicals including but not limited to paints, varnishes and solvents shall comply with State and County environmental regulations.
8. This Conditional Use Permit will be reviewed in one year, on October 19, 2009, at 7:30 p.m.
9. All State, Federal and local laws and applicable ordinances shall be complied with.

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

**Tom Riedesel**

---

**From:** James Putnam <james@putnamfarmhouse.com>  
**Sent:** Thursday, August 24, 2017 12:34 PM  
**To:** Tom Riedesel  
**Subject:** Hi Tom

Thanks for taking the time to meet with me today. Below is a description of my business.

*Handmade Furniture (Farmhouse/Barn wood Style) A basic table measures 37 inches wide, 30 inches tall, and 72 inches long, but tables can be customized to your style/size. The furniture is created with Pine Wood and stained a dark walnut color, but colors can be customized (price may change for different colors), as they are handmade. Tables can also have breadboards on the ends.*

*I also make matching benches, ottomans, sofa tables, and stools.*

*Benches are customized to fit the size of your table. Most sizes range from 48 inches to 66 inches. Located in White Bear Lake*

*Some tables are ready right away (depending on size).*

*I can also make these for outdoor/patio use,*

Let me know if you need anything else.

Thanks  
James



CONDITIONAL USE PERMIT APPLICATION FORM

RECEIVED

AUG 24 2017

TOWN OF WHITE BEAR

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) James Putnam PHONE (Home) (Business) (Cell) 951-302-1091
ADDRESS ~~5350 N. Hwy 61~~ Township 5415 Williams AVE
PROPERTY OWNER Jon Tschida - CT Properties
ADDRESS OF SITE 5350 N. Hwy 61 ZONING B2
EXISTING USE OF SITE Vacant

DESCRIPTION OF CONDITIONAL USE BEING REQUESTED
Handmade Furniture
1000 SF, Middle of Building by loading dock
Previous Tenant was David Hardware

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 \_\_\_\_\_ (4<sup>th</sup> Thursday of the month @ 7:00 p.m. at the Town Hall).
3. Town Board \_\_\_\_\_ (1<sup>st</sup> 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)

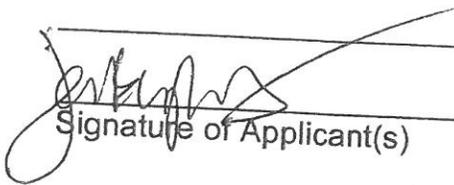
STANDARDS:

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)

8-24-17  
\_\_\_\_\_  
Date

<u>To Be Completed By Office:</u>	
Date Request Received <u>8/24/17</u>	CR# <u>5707</u>
By <u>Kurek</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 CONSTRUCTION OF HANDMADE FURNITURE AT A COMMERCIAL SITE 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, September 18, 2017 @ 7:40 p.m., to consider the request of the granting of a Conditional Use Permit to allow construction of handmade furniture at a commercial site in the area lying and being in the Town of White Bear, Ramsey County, Minnesota, described as follows:

Lot 1, Block 1, Buffalo Street Addition

(5350 Highway 61 – Electric Cords Building)

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 28<sup>th</sup> day of August, 2017.

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 55111

651-747-2750  
FAX 651-426-2258  
Email: [wbt@whitebeartownship.org](mailto:wbt@whitebeartownship.org)

September 5, 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 Construction of Handmade Furniture at a Commercial Site in the Town of White Bear, Ramsey County, Minnesota.**

Mr. Putnam is requesting approval of a Conditional Use Permit to allow him to make handmade furniture in a 1,000 square foot space in the Electric Cords building at 5350 Highway 61.

The Public Hearing on the matter has been scheduled for **Monday, September 18, 2017, at 7:40 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](mailto:tom.riedesel@whitebeartownship.org).

Sincerely,

PATTI WALSTAD  
Paralegal

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

Parcel ID: 123022240032

**John B McGuire, Debra L McGuire**  
4639 Lake Ave  
White Bear Lake MN 55110-3410

Parcel ID: 123022240047

**Richard F Tschida**  
5350 Highway 61  
White Bear Town MN 55110-2375

Parcel ID: 123022230073

**Town Of White Bear**  
1281 Hammond Road  
White Bear Town MN 55110-5898

Parcel ID: 123022230076

**Jeffrey R Kueffner, Colleen A Kueffner**  
2370 4th St  
Saint Paul MN 55110-5751

Parcel ID: 123022230023

**Kelly Spangler**  
5371 Hugo Rd  
White Bear Township MN 55110-2342

Parcel ID: 123022230046

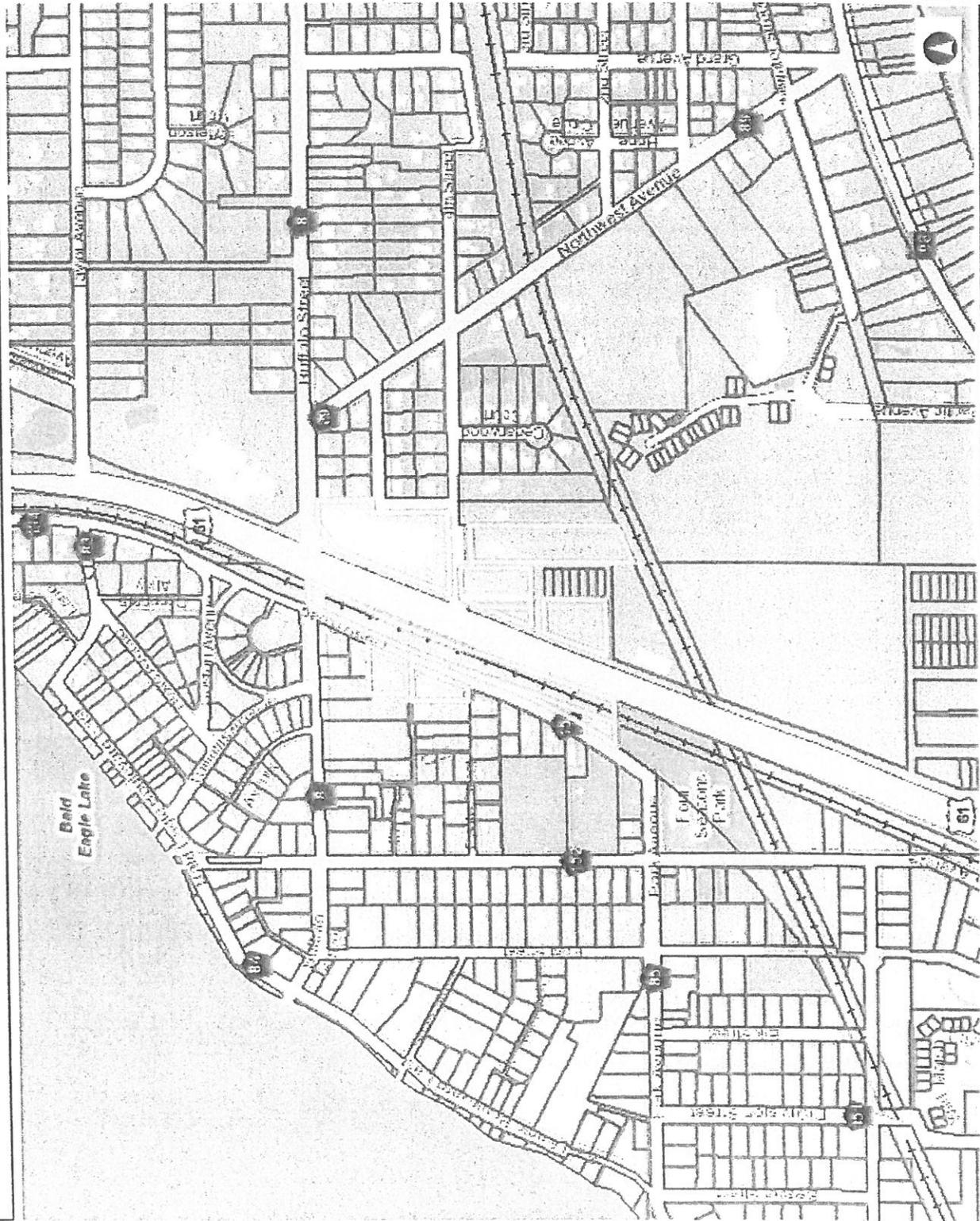
**Northern Pacific And Mpls**  
176 E 5th St  
St Paul MN 55101-1606

Parcel ID: 123022230030

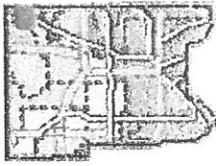
**Andrea Hall**  
5337 Hugo Rd  
White Bear Lake MN 55110-2342

Parcel ID: 123022230047

**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
- Parks (8-64K)**
  - State Park
  - Regional Parks, Preserves, and Open Space
  - County Park
  - Local Parks
  - Golf Course
  - Special Use Facility
  - Rec Center

**Notes**

Enter Map Description

1,333.3  
666.67  
0  
1,333.3 Feet

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**

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 6th day of September, 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 6th day of September, 2017.

[Signature]
Notary Public



WHITE BEAR TOWNSHIP
NOTICE OF HEARING REQUEST FOR A CONDITIONAL USE PERMIT
TO ALLOW CONSTRUCTION OF HANDMADE FURNITURE
AT A COMMERCIAL SITE 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 c Monday, September 18, 2017 @ 7:40 p.m., to consider the request of th granting of a Conditional Use Permit to allow construction of handmade furr ture at a commercial site in the area lying and being in the Town of White Bea Ramsey County, Minnesota, described as follows:
Lot 1, Block 1, Buffalo Street Addition
(5350 Highway 61 - Electric Cords Building)
and to hear and pass upon objections and recommendations, if any, an to conduct any and all business incident thereto.
Given under my hand this 28th day of August, 2017.
WILLIAM F. SHORT, Clerk-Treasurer
Published one time in the White Bear Press on September 6, 2017.

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 JAMES PUTNAM in his 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 JAMES PUTNAM, to allow construction of handmade furniture in a commercial building, in accordance with the attached Requirements, upon a tract of land lying and being in the Town of White Bear, described as follows: Lot 1, Block 1, Buffalo Street Addition; Address: 5350 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 2<sup>nd</sup> day of October, 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 2<sup>nd</sup> day of October, 2017.

\_\_\_\_\_  
TOWN CLERK/TREASURER

## 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: Lot 1, Block 1, Buffalo Street Addition, all in Ramsey County, Minnesota, and commonly known as: 5350 Highway 61, is in a(n) B-2 - General Business District and can be used for the following purpose: to allow construction of handmade furniture at a commercial site, in accordance with the attached Requirements, pursuant to Ordinance No. 35, the Zoning Ordinance for the Town of White Bear, Ramsey County, Minnesota.

Dated: October 2, 2017.

---

TOWN CLERK

- CONDITIONAL USE
- PERMITTED USE
- NON-CONFORMING USE
- SPECIAL HOME OCCUPATION
- OTHER: \_\_\_\_\_

## CONDITIONAL USE PERMIT REQUIREMENTS

**James Putnam  
Electric Cords Building  
5350 Highway 61  
White Bear Township MN**

1. This Conditional Use Permit shall only be extended to the present owners and operators of this business.
2. Truck traffic shall follow the one-way system as the parking lot signs indicate.
3. No on-street parking of employees, visitors or trucks shall be allowed.
4. All refuse shall be stored in the building.
5. Truck deliveries shall occur only between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday. Parking and idling of delivery trucks outside of these hours is prohibited.
6. The dust collection system shall be completely internalized with no vents to the outside of the building.
7. All use and storage of chemicals including but not limited to paints, varnishes and solvents shall comply with State and County environmental regulations.
8. All State, Federal and local laws and applicable ordinances shall be complied with.

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



**Town Board Meeting  
October 2, 2017**

**Agenda Number: 7C – New Business**

**Subject: 7:50 p.m. Public Hearing Continuation – Conditional Use Permit Request @5350 Highway 61 - To Allow Indoor Storage at a Commercial Building**

**Documentation:** Staff Memo / E-mail  
CUP Application  
Public Notice / Resident Letter / Mailing List / Map  
Affidavit of Publication  
Proposed Conditional Use Permit / Zoning Certificate / Requirements

**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 Hearing

Town Planner Report at Meeting

Based on Planning Commission & Staff Review & Recommendation Approve the Conditional Use Permit / Zoning Certificate With Attached Requirements for Richard Tschida Which Allows Him have Indoor Storage in his Electric Cords Building Located at 5350 Highway 61

## MEMORANDUM

**TO: PLANNING COMMISSION**  
**FROM: TOM RIEDESEL**  
**DATE: AUGUST 18, 2017**

**SUBJECT: INDOOR STORAGE**  
**REQUEST: CONDITIONAL USE PERMIT**

**LOCATION: 5350 HIGHWAY 61**

**APPLICANT: ELECTRIC CORDS**  
**ZONING: B-2, GENERAL BUSINESS**

Electric Cords is requesting approval of a Conditional Use Permit which would allow them to lease space in their building for long-term indoor storage. The proposed storage space is in the portion of the building vacated by Westin Nielson. The area proposed for storage space is 17,000 square feet. The total building area is 78,000 square feet.

The Town recently amended the Zoning Ordinance to allow self-storage within the B-2 Zoning district.

The proposed storage area is being requested to permit winter storage of personal vehicles. The storage would be long-term (over the winter months) with very few, if any, vehicles being moved in and out of the building during the winter.

Currently the Electric Cords building houses: Electric Cords, Fastenal, Catalina Carpet, David Hardware, 4<sup>th</sup> Street Dance, Kutzke Furniture, and Wildlife Forever. Of these users, only Electric Cords does manufacturing. 4<sup>th</sup> Street Dance is a retail business. The other users utilize their spaces for storage with little, if any, retail sales.

Section 9-4.4 of the Town's Zoning Ordinance sets the standards which must be met in order to approve a Conditional Use Permit. It states:

**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.



RECEIVED

AUG 22 2017

### CONDITIONAL USE PERMIT TOWN OF WHITE BEAR 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) Richard Tschida PHONE (Home) 651 464 4382  
(Business) 651 426 7958  
(Cell) 813 416 2775

ADDRESS 21833 Healy Ave N  
Forest Lake MN

PROPERTY OWNER Richard Tschida (CT Properties)

ADDRESS OF SITE 5350 N Hwy 61 ZONING Gen Business

EXISTING USE OF SITE General Business

DESCRIPTION OF CONDITIONAL USE BEING REQUESTED  
temporary seasonal storage until space can be leased, amending to allow existing conditional use permit

\_\_\_\_\_ 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 \_\_\_\_\_ (4<sup>th</sup> Thursday of the month @ 7:00 p.m. at the Town Hall).
3. Town Board \_\_\_\_\_ (1<sup>st</sup> Monday of the following month @ 7:00 p.m. (Call Public Hearing) at the Town Hall).
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.

*Richard Doshida*

Signature of Applicant(s)

*Aug 16 2017*

Date

<u>To Be Completed By Office:</u>	
Date Request Received <u>8/22/17</u>	<i>Cliff 8684</i>
By <u><i>Karen</i></u> (Staff Member)	\$75.00 Fee + \$200 Deposit Received <input checked="" type="checkbox"/> Yes Customer # <u>600</u> <i>yo</i> <input type="checkbox"/> No
Date Application Complete _____	



**NOTICE OF HEARING REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW INDOOR STORAGE AT A COMMERCIAL BUILDING 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, September 18, 2017 @ 7:50 p.m., to consider the request of the granting of a Conditional Use Permit to allow indoor storage at a commercial building in the area lying and being in the Town of White Bear, Ramsey County, Minnesota, described as follows:

Lot 1, Block 1, Buffalo Street Addition

(5350 Highway 61 – Electric Cords Building)

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 28<sup>th</sup> day of August, 2017.

\_\_\_\_\_  
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](mailto:wbt@whitebeartownship.org)

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

September 5, 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 Indoor Storage at a Commercial Building in the Town of White Bear, Ramsey County, Minnesota.**

Mr. Tschida is requesting approval of a Conditional Use Permit to allow him to have an indoor storage area in his building at 5350 Highway 61.

The Public Hearing on the matter has been scheduled for **Monday, September 18, 2017, at 7:50 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](mailto:tom.riedesel@whitebeartownship.org).

Sincerely,

PATTI WALSTAD  
Paralegal

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



recycled paper



**NOTICE OF HEARING REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW INDOOR STORAGE AT A COMMERCIAL BUILDING 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, September 18, 2017 @ 7:50 p.m., to consider the request of the granting of a Conditional Use Permit to allow indoor storage at a commercial building in the area lying and being in the Town of White Bear, Ramsey County, Minnesota, described as follows:

Lot 1, Block 1, Buffalo Street Addition

(5350 Highway 61 – Electric Cords Building)

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 28<sup>th</sup> day of August, 2017.

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

\_\_\_\_\_  
WILLIAM F. SHORT, Clerk-Treasurer

Parcel ID: 123022240032

**John B Mcguire, Debra L Mcguire**  
4639 Lake Ave  
White Bear Lake MN 55110-3410

Parcel ID: 123022240047

**Richard F Tschida**  
5350 Highway 61  
White Bear Town MN 55110-2375

Parcel ID: 123022230073

**Town Of White Bear**  
1281 Hammond Road  
White Bear Town MN 55110-5898

Parcel ID: 123022230076

**Jeffrey R Kueffner, Colleen A Kueffner**  
2370 4th St  
Saint Paul MN 55110-5751

Parcel ID: 123022230023

**Kelly Spangler**  
5371 Hugo Rd  
White Bear Township MN 55110-2342

Parcel ID: 123022230046

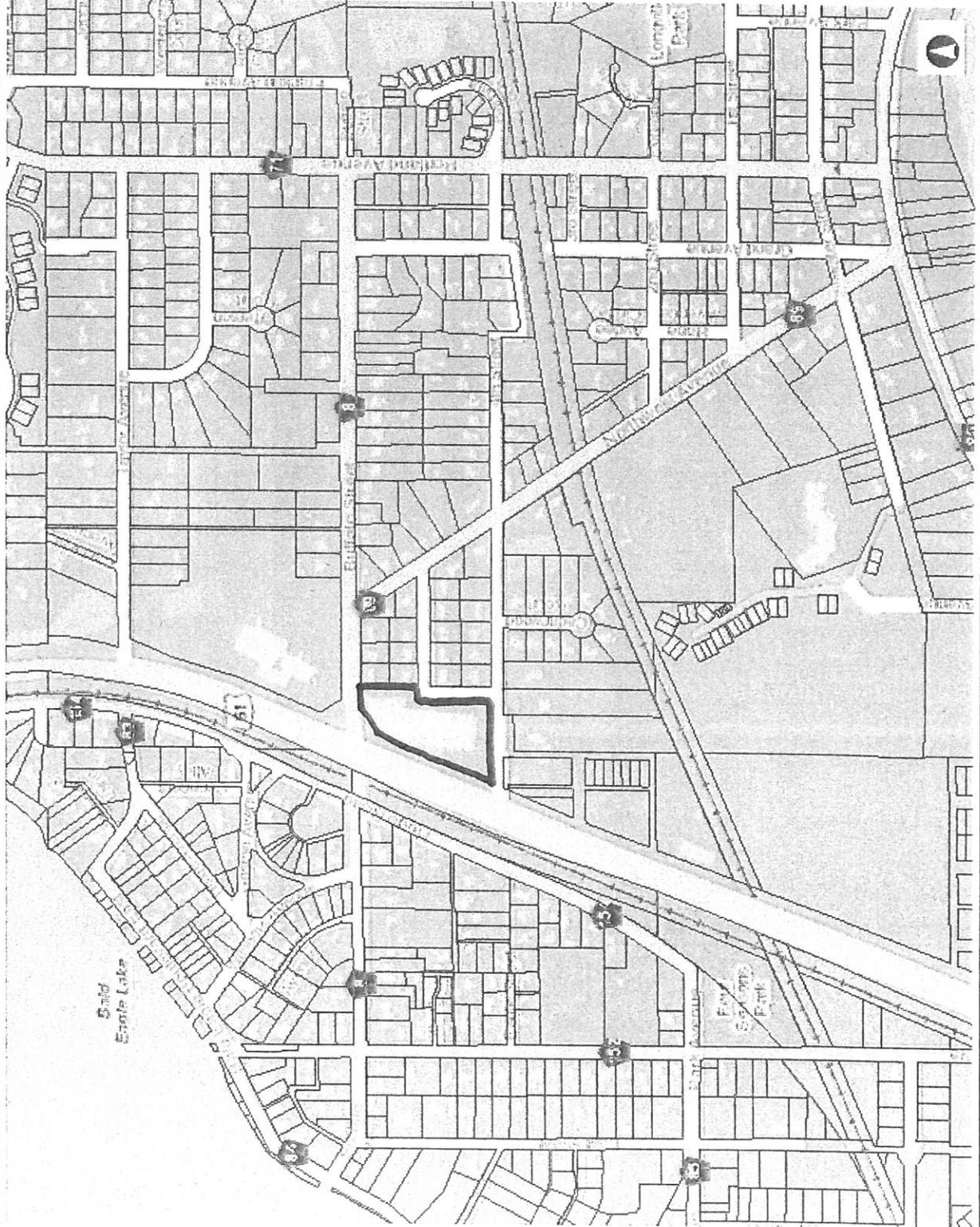
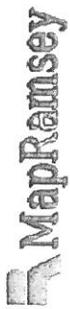
**Northern Pacific And Mpls**  
176 E 5th St  
St Paul MN 55101-1606

Parcel ID: 123022230030

**Andrea Hall**  
5337 Hugo Rd  
White Bear Lake MN 55110-2342

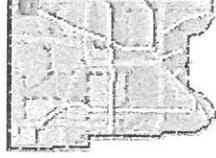
Parcel ID: 123022230047

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



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

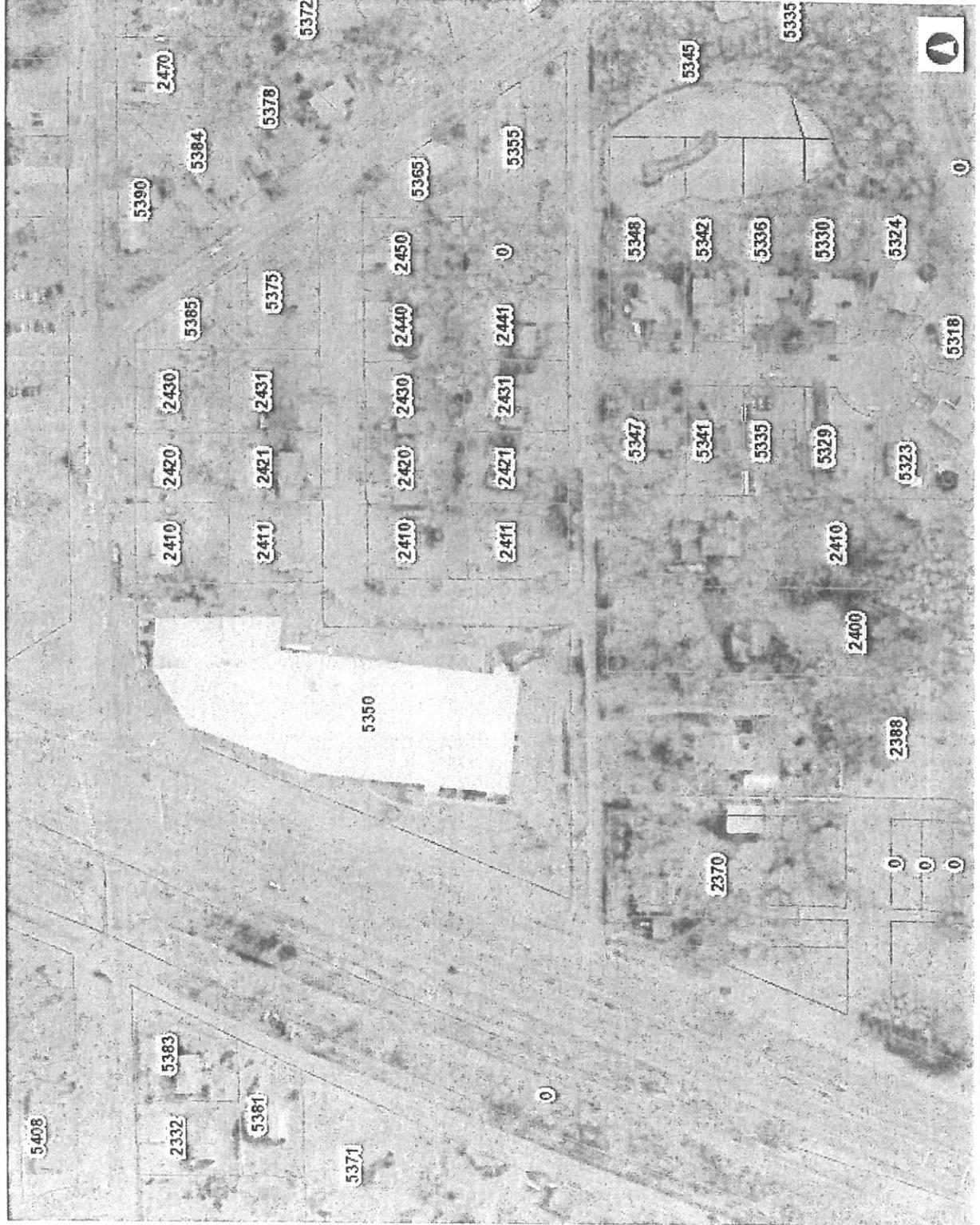
### Legend



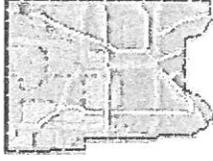
- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries
- Airports
- Parks (8-64K)
- State Park
- Regional Parks, Preserves, and O
- County Park
- Local Parks
- Golf Course
- Special Use Facility
- Rec Center

### Notes

Enter Map Description



**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 Feet

200.00

0

NAD\_1983\_HARN\_Adj\_MN\_Ramsey\_Feet  
© Ramsey County Enterprise GIS Division

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 6th day of September, 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

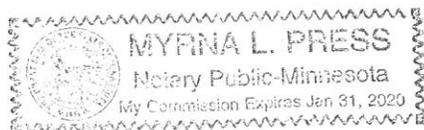
- 5. Mortgage Foreclosure Notices. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in Ramsey County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the 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 6th day of September, 2017.

[Signature]
Notary Public





## 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: Lot 1, Block 1, Buffalo Street Addition, all in Ramsey County, Minnesota, and commonly known as: 5350 Highway 61, is in a(n) B-2 - General Business District and can be used for the following purpose: to allow indoor storage at a commercial site, in accordance with the attached Requirements, pursuant to Ordinance No. 35, the Zoning Ordinance for the Town of White Bear, Ramsey County, Minnesota.

Dated: October 2, 2017.

---

TOWN CLERK

- CONDITIONAL USE
- PERMITTED USE
- NON-CONFORMING USE
- SPECIAL HOME OCCUPATION
- OTHER: \_\_\_\_\_

## CONDITIONAL USE PERMIT REQUIREMENTS

**Richard Tschida  
Electric Cords Building  
5350 Highway 61  
White Bear Township MN**

1. This Conditional Use Permit shall only be extended to the present owners and operators of this business.
2. Vehicle drop-off shall occur only between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday.
3. All State, Federal and local laws and applicable ordinances shall be complied with.

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



**Town Board Meeting  
October 2, 2017**

**Agenda Number: 7D – New Business**

**Public Works Director Items:**

**Subject: Bellaire Beach House Roof Replacement:**

1. Receive Bids
2. Award Contract

**Documentation: Public Works Director Memo w/attachments**

**Action / Motion for Consideration:**

Report at Meeting

Based on Public Works Director Review & Recommendation:

- 1) Receive Bids

and

- 2) Award Contract to Commercial Roofing & Sheet Metal, Inc. in the Amount of \$37,441.00, for the Replacement of the Roof on the Bellaire Beach House as Identified in the 2017-2021 CIP, With Funding from the Parks & Recreation General Fund

## MEMORANDUM

Date: September 25, 2017

To: Town Board

From: Dale Reed, Public Works Director

Re: Bellaire Beach House Roof Replacement

The Township entered into a 99-year lease agreement for Bellaire Beach, located at 2499 South Shore Boulevard, with Ramsey County on May 23, 1989. As part of the lease agreement entered into in May 1889 by Ramsey County and the Township, the Township has the responsibility to "maintain the property in good repair and tenantable condition". In order to meet the intent of this agreement the following improvements will be made in 2017 and 2018. The roof replacement in 2017 and bathroom renovations, metal door and frame replacements, and painting of the exterior and interior in 2018.

I am recommending the replacement of the existing roof of the Beach House in 2017. The current roof Tar and Gravel has reached the end of its useful life. The proposed replacement will be a colored standing seam 24-gauge metal roof to provide a more aesthetically pleasing Park presence. The color options were presented to the Park Board on September 21 to review and make a recommendation. The recommended color is Slate Blue (see CMG color chart).

The Township received three proposals for the roof replacement. One from Commercial Roofing & Sheet Metal, Inc. for \$37,441.00, a second from 4 Corner Architectural Sheet Metal, Inc. for \$35,585.00 and a third from S.J. Anderson Construction for \$43,700.00. The proposal from 4 Corner Architectural Sheet Metal, Inc. did not include the removal of the existing two layers of Tar and Gravel roofing. They would only remove the loose gravel, install a layer of new 5/8" inch sheeting over the existing roof layers, and install the standing seam metal roof. They could not provide the same level of removal as Commercial Roofing & Sheet Metal, Inc. or S.J. Anderson, Inc. could. I am recommending complete removal of the existing roofing layers and approval of the proposal by Commercial Roofing & Sheet Metal, Inc. over 4 Corner Architectural Sheet Metal, Inc..

Staff is recommending approving the proposal from Commercial Roofing & Sheet Metal, Inc. for the roof replacement on the Bellaire Beach House. Commercial Roofing & Sheet Metal, Inc. has performed roof replacements, sheet metal replacements, and leak repairs for the Township at various building locations.

The Park and Recreation General Fund provide funding for Bellaire Beach House roof. The project is identified in the 2017-2021 CIP with \$40,000.00 funding.

Town Board action requested is to award the bid to Commercial Roofing and Sheet Metal, Inc. for \$37,441.00.

# Commercial Roofing & Sheet Metal Inc.

221 Ryan Drive  
Little Canada, MN. 55117  
Phone: 651-483-5298 Fax: 651-483-5387

---

March 16, 2017

Dale Reed  
White Bear Lake Township  
1281 Hammond Road  
White Bear Lake Township MN. 55110

RE: White Bear Lake Pavilion  
White Bear Lake Township, MN.  
Approximately 1,800 Sq. Ft.

Scope of Work: New 24 gauge prefinished GI standing seam roofing.

- Acquire permits and conduct preconstruction conference with owners' representative.
- Furnish owner standard insurance certificate.
- Remove the existing sheet metal flashing and dispose of in an approved landfill.
- Remove the existing roofing materials, two roofs, down to the existing wood deck.
- Install high temperature self-adhering membrane to all roof surfaces.
- Install CMG "Ultra-Snap" 24 gauge prefinished GI standing seam panels.
- Fabricate and install CMG 24 gauge prefinished flashings at all roof edges high walls and hips.
- Fabricate and install CMG 24 gauge beam caps at all locations where the structural beams extend past the roof area.
- Clean up and dispose of all debris.
- Furnish a Commercial Roofing 10 year warranty.

We propose to furnish labor and materials as specified above for the lump sum of Thirty Seven Thousand Three Hundred Forty One and 00/100 Dollars ..... \$37,441.00  
This price subject to revision if not accepted by standard AIA contract or purchase order within 60 days.

If you have any questions or require any further information please feel free to contact me on my cell at 612-685-5150.

Sincerely,

Mark Wagner

# Commercial Roofing & Sheet Metal Inc.

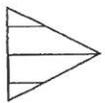
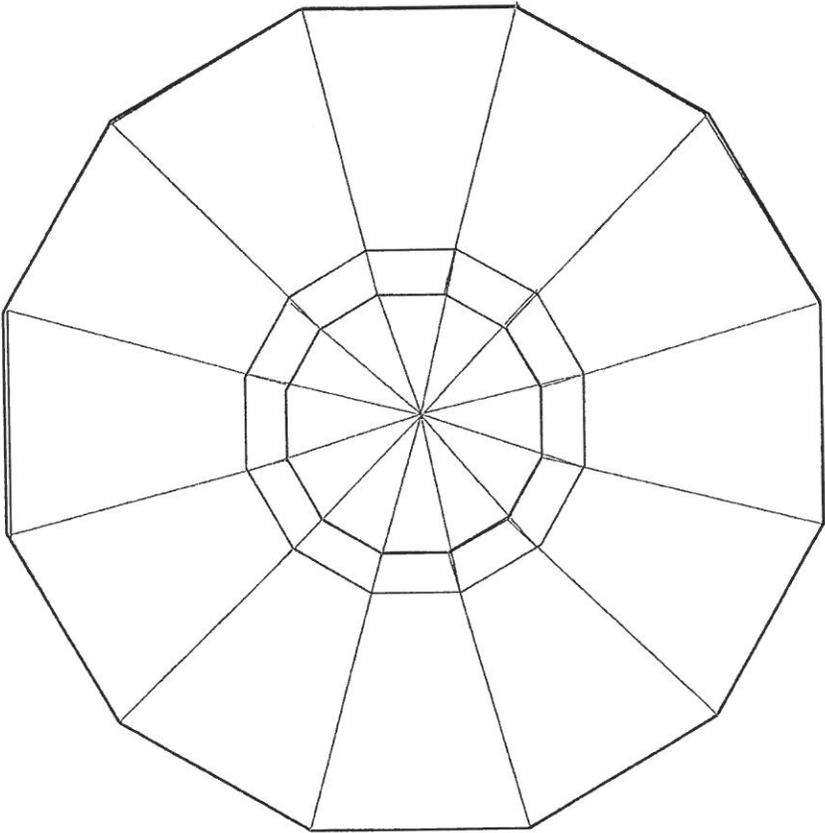
221 Ryan Drive  
Little Canada, MN. 55117  
Phone: 651-483-5298 Fax: 651-483-5387

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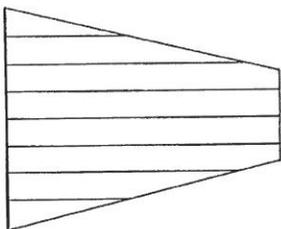
Commercial Roofing and Sheet Metal Inc.

whitebearlakewellhouse2017



2 - 2' panels x 12 24 = 72 sq ft  
2 - 5' panels x 12 24 = 180 sq ft  
252 sq ft

2-7 panels x 12 24 = 252 sq ft  
2-14' panels x 12 24 = 504 sq ft  
4-16' panels x 12 48 = 1152 sq ft  
1,908 sq ft



**Commercial Roofing & Sheet Metal Inc.**

221 Ryan Drive Little Canada, MN 55117  
Tel: (651) 483-5298 Fax: (651) 483-5387

**Project**

White Bear Lake Pavilion

**Customer**

White Bear Lake Township

**DWS. By**

RJM

**Date**

8-2-17

**Scale**

N.T.S

This drawing is the property of Commercial Roofing & Sheet Metal Inc. It may not be reproduced without consent.



office: **952.855.7991**  
 fax: **952.855.7998**  
 web: [fourcornermetal.com](http://fourcornermetal.com)  
 12124 Riverwood Dr. | Burnsville, MN 55337-1509

# Estimate

Date	4CM Job Number
8/9/2017	3039

Name / Address		Job Info	
White Bear Township 1281 Hammond Road White Bear Township MN 55110 651-775-4295		South Shore Blvd and Bellaire Ave White Bear Lake, MN	
Customer Contact	Prepared By	Project	
Dale Reed	Brett	3039 Bellaire Beach Park	
Quote	Description	QTY	Total
Supply and Install	* Remove as much existing rock as possible from existing roof * New 5/8" Plywood Sheathing * Ice and Water Shield * Firestone UC4 17.75" wide standing seam panels and related trims * Fascia * Beam Covers		35,585.00
Notes	* Materials are 24 gauge in your choice of standard colors		0.00
Thank you for the opportunity. Brett Looney <a href="mailto:brett@fourcornermetal.com">brett@fourcornermetal.com</a>		Sales Tax (7.125%) \$0.00	
		<b>Total</b> \$35,585.00	

**\*Due to market fluctuations, all material/labor pricing may be subject to change after 60 days from the date of this estimate.**

PROPOSAL  
***SJ Anderson Construction***

9 East Gilfillan Rd. N. Oaks MN 55127

MN.License. # BC062802

Residential & Commercial

612-986-5372

[scott@sjandersonconstruction.com](mailto:scott@sjandersonconstruction.com)

[www.sjandersonconstruction.com](http://www.sjandersonconstruction.com)

Bonded© and Insured©

**QUALITY FROM START TO FINISH**

**\*\*ALL LABOR, MATERIALS , PERMITS, DUMPSTER AND BROOM CLEAN SITE ARE INCLUDED\*\***  
(unless otherwise noted)

**NAME: White Bear Township/ contact Dale Reed Date= 9/5/17**

**ADDRESS: 1281 Hammond Rd w.b. tship. Mn. 55110**

**JOB ADDRESS: 2499 So Shore Blvd WBLK TSHIP 55110**

**PHONE #:651 429 7829**

**JOB DESCRIPTION: Replacement roof of Bellaire Beach House**

The existing roofing material will be removed down to the deck, cleaned and inspected for rot. If any repair or replacement is needed an additional hourly cost at \$70 per hour with 20% added to materials cost as well.

CMG ULTRA SEAM PANELS standing seam metal roof will be installed ,custom made for the roof. Green color To match other city building roofs in town, and matching metal fascia around perimeters.

**TOTAL JOB COST: \$43,700.00**

**PAYMENT SCHEDULE:**

**33% UPON DELIVERY OF MATERIALS,33% AFTER 50% COMPLETION OF JOB,  
BALANCE UPON COMPLETION.**

**JOB LENGTH:**

**Project will take 1 TO 3 weeks after materials delivery. Delays could be caused by weather, special order Materials delay or any extra unforeseen work wanted or required.**

**NOTE=**

**CMG ULTRA SNAP CAN ONLY BE USED FOR 3/12 PITCH OR GREATER. THIS ROOF HAS A 1/12 PITCH  
So for standing seam we must use a mechanically[machined] fastened seam which ULTRA SEAM is. Cost would  
Be Lower if not machine fashioned in the field.**





# Color Selection Guide



**COATED METALS GROUP™**

## **ULTRA-CLAD™** is also **ULTRA-Cool®**

Cool coatings with premium heat-reflective technology from PPG

KYNAR 500® or  
HYLAR 5000®  
PRE-FINISHED STEEL  
FLAT SHEETS AND COIL



\*Matte Black



\*Charcoal



\*Slate Gray



Galvalume



\*Hartford Green



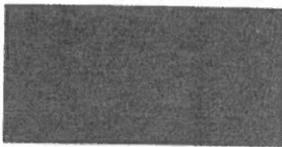
Burnished Slate



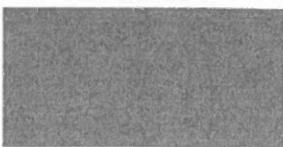
\*Ash Gray



Stone White



\*Classic Green



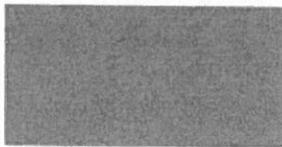
Hemlock Green



Teal



\*Bone White



\*Terra Cotta



Regal Red



\*Slate Blue



\*Almond



\*Colonial Red



Burgundy



Royal Blue



Sandstone



\*Mansard Brown



\*Dark Bronze



\*Medium Bronze



\*Sierra Tan



Champagne



Silver



Aged Copper



\*Copper Penny

\* Also available in 26 gauge SMP

# STOCK AVAILABILITY MATRIX

Color Name	ULTRA-COOL RATINGS			24 GA. STEEL		26 GA. STEEL		28 GA. STEEL
	REFLECTIVITY	EMISSIVITY	SRI	40"	48"	40"	48"	42"
Aged Copper	26.8%	0.85	26		•			
Almond	61.4%	0.83	72		•		•	•
Ash Gray	49.8%	0.85	56		•		•	
Bone White	67.6%	0.84	81		•		•	•
Burgundy	27.1%	0.85	26	•	•			
Burnished Slate	25.1%	0.83	22		•			
Champagne	47.2%	0.80	51		•			
Charcoal Gray	25.3%	0.84	23	•	•	•	•	•
Classic Green	30.5%	0.85	30	•	•	•	•	•
Colonial Red	33.2%	0.86	35	•	•	•	•	•
Copper Penny	43.9%	0.84	55	•	•		•	•
Dark Bronze	27.7%	0.85	27	•	•		•	•
Hartford Green	27.1%	0.83	26	•	•	•	•	•
Hemlock Green	31.1%	0.85	31	•	•			•
Mansard Brown	26.0%	0.85	25	•	•	•	•	•
Matte Black	26.8%	0.84	25		•		•	
Medium Bronze	30.9%	0.86	31	•	•	•	•	•
Regal Red	38.5%	0.85	41		•			
Royal Blue	26.8%	0.85	26	•	•			
Sandstone	59.7%	0.82	69		•			
Sierra Tan	45.8%	0.83	50	•	•		•	•
Silver	55.6%	0.81	63	•	•			
Slate Blue	32.8%	0.84	33	•	•		•	•
Slate Gray	37.5%	0.82	38	•	•	•	•	•
Stone White	65.6%	0.82	77		•			
Teal	27.9%	0.85	27	•	•			
Terra Cotta	41.9%	0.83	45		•		•	
Western Rust	24.0%	0.87	23		•			

**Oil canning is an inherent part of light gauge cold formed metal products and is not cause for coil, sheet or panel rejection. Protective film must be removed immediately after installation. Colors and sizes can change without notice. Additional sizes may be available, please contact your sales representative. Please contact our office for maintenance and cleaning procedures.**

### Product Description

ULTRA-CLAD™ pre-finished metal features PPG's Duranar® ULTRA-Cool® full strength Kynar 500®/Hylar 5000® paint finishes. This high performance product provides the ultimate in resistance against fading and weathering. In addition to our standard colors, custom colors are also available.

2525 West Barberrry Place, Denver, CO 80204  
 Phone: 303-623-5333 Fax: 303-623-3738  
 Toll-Free: 877-623-5333

455 Rawles Court, Indianapolis, IN 46229  
 Phone: 317-890-1999 Fax: 317-890-0950  
 Toll Free: 866-694-1999

300 Yard Drive, Verona, WI 53593  
 Phone: 608-826-0356 Fax: 608-826-4264  
 Toll-Free: 800-784-0356

### Color Samples

Colors shown represent the actual colors as accurate as modern printing technology will permit. Free metal samples are available upon request. Additional custom colors are also available upon request.

KYNAR 500 is a registered trademark of Arkema, Inc.  
 HYLAR 5000 is a registered trademark of Solvay Solexis, Inc.  
 Duranar, ULTRA-Cool and the PPG logo are registered trademarks of PPG Industries.  
 GALVALUME is a registered trademark of BIEC.



PPG Coatings Protected

www.cmgmets.com



**Town Board Meeting  
October 2, 2017**

**Agenda Number: 7E – New Business**

**Subject: Sanitary Sewer Pipe Joint Cleaning & Sealing:**  
1. Receive Bids  
2. Award Contract

**Documentation: Public Works Director Memo w/attachments**

**Action / Motion for Consideration:**

Report at Meeting / Discuss

Based on Public Works Director Review & Recommendation:

1) Receive Bids

and

2) Award Contract to Visu-Sewer, Inc. in the Amount of \$46,755.80  
With Funding from the Sewer Operating Fund

-----  
Minutes  
Town Board Meeting  
August 28, 2017

**2017 INFILTRATION & INFLOW (I&I) WORK REQUEST: 1) APPROVE REQUEST FOR PROPOSAL; 2) AUTHORIZE ADVERTISEMENT FOR BIDS:** The Clerk reported that as part of the Township's infrastructure management program the Town televises the sanitary sewer mainlines to determine the pipe's structural condition; evaluate for infiltration leaks; provide information on the cleanliness of the pipe to assist in determining adjustments to the cleaning frequency of the system; and to assist in addressing the infiltration/inflow exceedance identified by the Metropolitan Council Environmental Services. The request for proposal is based on information gathered by Hydro-Klean during the fall of 2016. The existing condition of the vitreous clay pipe is good with very few structural concerns at this time. The issues identified are mainly the pipe joints, where root intrusion/grease build up and infiltration are concerns. Fifty one pipe joints/service connections have been identified to be

grouted to reduce I&I. Each of the sanitary sewer lines identified with joints/service connections grouting will be cleaned prior to the actual joint/service grouting work. Staff is recommending that the I&I RFP be approved and authorization for advertisement for sealed bids.

Prudhon moved, based on Public Works Director's review and recommendation to approve the Request for Proposal for the sealing of sanitary sewer pipe joints SS 17-1. Ruzek seconded. Ayes all.

Prudhon moved to authorize the advertisement for bids noting the bid opening date of September 21, 2017. Ruzek seconded. Ayes all.

## MEMORANDUM

Date: September 25, 2017

To: Town Board

From: Dale Reed, Public Works Director

Re: 2017 Infiltration & Inflow (I&I) Work Bid Award

During the August 28, 2017 Meeting, the Town Board approved advertising for bids for Sanitary Sewer Joint Sealing. The focus area of the bid is the sanitary sewer lines constructed of vitreous clay tile in the Bald Eagle neighborhood. The lines have ground water leaking into the sanitary sewer system at various pipe joints, adding clear water to the sanitary sewer flow to the Metropolitan Council Environmental Services Interceptor line.

Bid packages were emailed to three regional contractors who perform this type of work, Hydro-Klean, Inc., Insituform, Inc., and Visu-Sewer, Inc. The project was also advertised in the White Bear Press. Two bids were received:

- 1) Visu-Sewer Inc. for \$46,755.80 and,
- 2) Hydro-Klean, Inc. for \$50,086.00. Both contractors have performed satisfactory work for the Township in the past.

Funding for the work will be provided by the Sewer Operating Fund.

Town Board action is to receive the bids and award the contract to Visu-Sewer, Inc. for \$46,755.80.

**Attachment #1  
Bid Form**

SEALING OF SANITARY SEWER PIPE AND SERVICE JOINTS

Grand Total Bid (from Bid Summary Sheet) \$ 46,755<sup>80</sup> ✓

Authorized Signature:   
RONALD E. FENNEY - GENERAL MANAGER

Visu-Sewer, Inc.  
3155 104<sup>th</sup> Lane NE  
Blaine, MN 55449  
PH. # (763) 252-0004

Activity	Street section	Location in pipe section	MH to MH length	Estimated Units	Photo	Unit Price	Total	Note
<b>High pressure jetting</b>				40 hours				
563 to 564	Ridgewood and West		328.2	328.2'	yes	2.80	918.40	LF
564 to 565	Ridgewood		328.2	290'	yes	2.80	812.00	LF
561 to 565	Ridgewood		250	250'	yes	2.80	700.00	LF
561 to 560	Ridgewood		325	325'	yes	2.80	910.00	LF
545 to 541	Beaver Street		410	410'	no	2.80	1148.00	LF
545 to 550	21" Easement line		339	339'	yes	2.80	949.20	LF
545 to 543	21" Easement line		203	203'	no	2.80	568.40	LF
540 to 539	Park Avenue		300	300'	yes	2.80	840.00	LF
522 to 521	Oakwood Street		100	100'	yes	2.80	280.00	LF
439 to 440	East Bald Eagle Boulevard		273	273'	yes	2.80	764.40	LF
445 to 446	Hoxie Avenue		371	371'	yes	2.80	1038.80	LF
432 to 424	Overlake Avenue		372	372'	yes	2.80	1041.60	LF
			3599.4	3561			14976.80	
<b>Grout Joints or Services in 8" line</b>								
565 to 562	St. Anthony Ave	55.1',78.8',84'	320	3 joints	yes	1475.00	1475.00	L.S.
556 to 557	Bald Eagle Avenue	142.3'	250	1 joint	no	1475.00	1475.00	L.S.
531 to 532	Elk Street	212.2',239.9'	410	2 joints	yes	1475.00	1475.00	L.S.
532 to MCES line	Elk Street	255.5',340'	450	2 joints	yes	1475.00	1475.00	L.S.
533 to 534	Division Street	327.7',337.4',350'	390	3 joints	yes	1475.00	1475.00	L.S.
535 to MCES line	Division Street	7',38.6'	162	2 joints	yes	1475.00	1475.00	L.S.
520 to 515	East Street	34.3',225.5'	360	1 joint	yes	1475.00	1475.00	L.S.
520 to 524	East Street	204.2',268'	332	2 joints	yes	1475.00	1475.00	L.S.
524 to 526	East Street	59.9',72'	247	2 joints	yes	1475.00	1475.00	L.S.
527 to 528	East Street	4.2',185.7',304.7'	350	3 joints	yes	1475.00	1475.00	L.S.
528 to MCES line	East Street	68',96.2',144.2',155.2'	350	4 joints	yes	1475.00	1475.00	L.S.
508 to 509	5th Court	18.4'	46.7	1 joint	yes	1475.00	1475.00	L.S.
510 to 511	4th Street	7.8',14.7',20.7',276.5'	325	4 joints	yes	1475.00	1475.00	L.S.
459 to MCES line	Hugo Court	32',161.4',239.7',309.6'	446	4 joints	yes	1475.00	1475.00	L.S.
428 to 429	Orchard Avenue	33'	220	1 service connection	yes	1475.00	1475.00	L.S.
424 to 422	First Avenue	333.4'	470	1 joint	yes	1475.00	1475.00	L.S.
553 to 555	Bald Eagle Avenue	102.3',110.8'	418	2 joints	no	1475.00	1475.00	L.S.
534 to 535	Division Street	97.5',107.8',162.2',364.8',377.2'	390	5 joints	no	1475.00	1475.00	L.S.
501 to 502	East Street Alley	59.8'	165	1 joint	no	1475.00	1475.00	L.S.
524 to 523	Oakwood Street	65.1'	227	1 joint	no	1475.00	1475.00	L.S.
527 to 526	East Street	74.5'	250	1 joint	no	1475.00	1475.00	L.S.
429 to 427	Orchard Avenue	114.3'	225	1 joint	no	1475.00	1475.00	L.S.
431 to 432	Auburn Avenue	68.9'	256	1 joint	no	1475.00	1475.00	L.S.
			7059.7	48 joints			33,925.00	
<b>Grout Joints or Services in 21" line</b>								
970 to MCES line	Constellation Drive	155.5'	155.5	1 joint	yes	900.00	900.00	L.S.
970 to 965	Centerville Road Easement	71'	124.1	1 joint	no	980.00	980.00	L.S.
539 to 543	East Bald Eagle Boulevard	408.5' and 493.6'	489	2 joints	yes	980.00	980.00	L.S.
			4	joints			7860.00	
Televising				10,700 lineal feet				
<b>Grand Total Bid</b>								

Will need to cut back service connection.

## **References**

City of New Brighton  
700 5<sup>th</sup> Avenue N.W.  
New Brighton, MN 55112

City of Burnsville  
100 Civic Center Pkwy  
Burnsville, MN 55337

City of Victoria  
1670 Stieger Lake Lane  
Victoria, MN 55386

City of Cottage Grove  
8635 West Pt. Douglas Rd. S.  
Cottage Grove, MN 55016

REQUEST FOR BIDS  
SEALING OF SANITARY SEWER PIPE JOINTS  
SS 17-1

NOTICE IS HEREBY GIVEN that White Bear Township is accepting bids for:

SEALING OF SANITARY SEWER PIPE AND SERVICE JOINTS

Bids are due by 10:00 a.m., CST on September 21, 2017 at the Town Administration Building, 1281 Hammond Road, White Bear Township, MN.

The bid, including all executed documents and needed attachments, shall be placed in an envelope, marked "SS17-1: BIDS FOR SEALING OF SANITARY SEWER PIPE AND SERVICE JOINTS" and delivered prior to the bid deadline, 10:00 a.m., CST on Thursday, September 21, 2017.

All persons and firms wishing to submit bids must obtain a complete copy of the Request for Bids. Contact Dale Reed, Public Works Director @ 651-747-2777 to obtain a specification/bid copy. There is no charge for the specification/bid or for submitting bids.

Responses may be hand delivered, mailed, or delivered via courier service to the following address. Fax responses will not be accepted.

DELIVERY ADDRESS

White Bear Township  
Town Administration Building  
Attn: Public Works Director  
1281 Hammond Road  
White Bear Township, MN 55110

MAILING ADDRESS

White Bear Township  
Town Administration Building  
Attn: Public Works Director  
1281 Hammond Road  
White Bear Township, MN 55110

## **Intent**

White Bear Township seeks a contractor to seal/grout sanitary sewer pipe joints at various locations within the Township.

## **Period of Performance**

The period of performance for this bid is from the date of award to completion and acceptance of installation.

Specifications for each unit are included in this document. Staff will be available to answer any questions and will provide teleconferencing upon request.

## **Evaluation of Bids**

The Township staff will review bids that are received. Bids that are non-responsive to the requirements shall not be included for evaluation or for possible short-listing.

Bids will be evaluated on the following criteria only:

- (1) Meet requirements
- (2) Bid Amount

## **General Information and Requirements**

1. In accordance with Chapter 471.345, Minnesota Statutes, all bids received, and all materials contained therein, once opened are public record, and subject to disclosure to any person, organization, or firm, including other firms responding to this invitation to bid.
2. The Township reserves the right to accept or reject any or all bids, or part thereof, to waive any informalities or technicalities, or to award contracts in the best interest of the Township. In all instances, the Township's decision will be final.
3. The Township is exempt from taxes imposed by the State. Bids shall not include any taxes.
4. Prospective firms must submit bids strictly in accordance with the specifications outlined in the Invitation to Bid. Each variance, if any, to the specification/bid shall be specifically stated in the bid.
5. Prospective firms warrant by virtue of submission of bids that all prices, terms, and conditions stated shall be honored for a period of ninety (90) days after the opening of bids. Any changes at the time of an order is placed shall result in automatic disqualification of the vendor.

6. The original bid shall be signed, in blue ink, by a corporate officer, partner, or proprietor.
7. The Township reserves the right to reject any or all terms if in its judgment the item does not meet the needs of the Township, or for any reason it deems suitable.
8. Prospective firms are hereby warned not to contact any Town employee or official on matters relating to this Invitation to Bid, except as indicated herein. Any attempt to do so, or engaging in lobbying or any other activity interfering with evaluation process may result in immediate disqualification of the vendor from any Township business.
9. Prospective firms hereby warrant by virtue of submission of bids that any and all terms, conditions, and requirements as stated in this document are valid, enforceable, and binding upon the selected vendor.

### **Specific Information and Requirements**

1. **All questions must be submitted in writing** to Dale Reed, Public Works Director, at the Public Works Department. The only information that will be upheld by the Township is that information that comes from the Public Works Department in an addendum. Vendors should not base their bid on ANY other information.
2. The period of performance for this bid is from the date of the Town Board approval through completion of installation and acceptance. Excluding warranties included with the bid.
3. All prices shall remain unchanged during the period of performance, as specified herein.
4. Vendors must present qualifications with their bid.
5. The selected firm may not discriminate against any employee employed in the performance of services, or against any applicant for employment because of race, religion, color, handicap, national origin, age, gender, or marital status.
6. Bids shall include all information required in the Invitation to Bid. Bidders shall use Township standard forms as included in the Invitation to Bid to submit all information, or shall follow the format dictated or include the information required herein where no form is provided. Bid documents shall be arranged in order as indicated on the Bid Contents Form. Vendors must bid on each and every item in order to be considered for award.

7. **PERFORMANCE OF WORK:** The work required under this bid shall be performed by the entity submitting the bid.
8. If the employee working on the unit should break something, it will be the vendor's responsibility to repair. The vendor will incur the cost of the repair.
9. For further bid information, contact Dale Reed, Public Works Director, via e-mail at [dale.reed@whitebeartownship.org](mailto:dale.reed@whitebeartownship.org) or via fax at 651-429-7829.

### **Evaluation of Bids**

The bids shall be evaluated only on the criteria listed in the specification/bid document. The Township reserves the right to seek clarification from prospective firms on any issue in a bid, or take any other action it feels necessary to properly evaluate the bids and construct a solution in the Township's best interest. The Township reserves the right to reject any or all bids and/or waive any minor irregularities in the bids received, whichever would be in the best interest of the Township.

### **Project References**

Please supply **three (3)** project references, exemplifying this type of work. Please include the location with address.

### **About the Project**

White Bear Township is seeking bids for the sealing/grouting of sanitary sewer pipe joints at various locations within the Township:

#### **Specifics on the sealing/grouting of sanitary sewer pipe:**

1. **Unit pricing on bid sheet will be used for additional work, if required, during the project.**
2. **High Pressure Cleaning (for removal of roots, deposits, and grease) for 35 sanitary sewer lines, of which 23 are in preparation for sealing/grouting.**
  - **Provide equipment and labor**
  - **Disposal of debris**
3. **Televise using CCTV after high pressure cleaning**
  - **Provide equipment and labor**
  - **Provide the Township with a copy on a CCTV**
4. **Seal/Grout leaky joints and services**
  - **Seal/Grout 52 leaky joints and services (see bid sheet for size of pipe and quantity)**

**Related services:**

- **All debris from cleaning operations will be considered incidental to the work and disposed by the contractor.**
- **Traffic Control will also be considered incidental and provided by the contractor where necessary.**

**Related information:**

- **See attached pictures from televising performed in late 2016.**
- **See bid spreadsheet indicating sanitary sewer line lengths.**
- **See map showing locations of manholes and associated numbers.**

**Attachment #1  
Bid Form**

**SEALING OF SANITARY SEWER PIPE AND SERVICE JOINTS**

Grand Total Bid (from Bid Summary Sheet) \$ 50,086.00

Authorized Signature: \_\_\_\_\_

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a series of loops and a long horizontal stroke that extends across the signature line.

Hydro-Klean LLC  
333 NW 49th Place  
Des Moines, IA 50313  
ph 515.283.0500  
fax 515.283.0505

References, as required by spec

1. City of Durand, WI  
Matt Gilles 715.672.8770 ext 4  
dwwtp@nelson-tel.net
2. City of Osage, IA  
City 641.732.3709  
citygovt@osage.net  
Tom Madden/SEH, Inc.  
641.424.6344
3. City of Spirit Lake, IA  
City 712.336.1871  
Darin Peterson 712.320.5541 or  
712.336.2127

Activity	Street section	Location in pipe section	MH to MH length	Estimated Units 40 hours	Photo	Unit Price	Total	Note
<b>High pressure jetting</b>								
563 to 564	Ridgewood and West		328.2	328.2'	yes			
564 to 565	Ridgewood		328.2	290'	yes			
561 to 565	Ridgewood		250	250'	yes			
561 to 560	Ridgewood		325	325'	yes			
542 to 541	Beaver Street		410	410'	no			
545 to 550	21" Easement line		339	339'	yes			
545 to 543	21" Easement line		203	203'	no			
540 to 539	Park Avenue		300	300'	yes			
522 to 521	Oakwood Street		100	100'	yes			
439 to 440	East Bald Eagle Boulevard		273	273'	yes			
445 to 446	Hoxie Avenue		371	371'	yes			
432 to 424	Overlake Avenue		372	372'	yes		\$11,400	
			3599.4					
<b>Grout Joints or Services in 8" line</b>								
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556 to 557	Bald Eagle Avenue	142.3'	250	1 joint	no			
531 to 532	Elk Street	212.2', 239.9'	410	2 joints	yes			
532 to MCES line	Elk Street	255.5', 340'	450	2 joints	yes			
533 to 534	Division Street	327.7', 337.4', 350'	390	3 joints	yes			
535 to MCES line	Division Street	7', 38.6'	162	2 joints	yes			
520 to 515	East Street	34.3', 225.5'	360	1 joint 2 joints	yes			
520 to 524	East Street	204.2', 268'	332	2 joints	yes			
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527 to 528	East Street	4.2', 185.7', 304.7'	350	3 joints	yes			
528 to MCES line	5th Court	68', 96.2', 144.2', 155.2'	350	4 joints	yes			
508 to 509	5th Court	18.4'	46.7	1 joint	yes			
510 to 511	4th Street	7.8', 14.7', 20.7', 276.5'	325	4 joints	yes			
459 to MCES line	Hugo Court	32', 161.4', 239.7', 309.6'	446	4 joints	yes			
428 to 429	Orchard Avenue	33'	220	1 service connection	yes			Will need to cut back service connection.
424 to 422	First Avenue	333.4'	470	1 joint	yes			
553 to 555	Bald Eagle Avenue	102.3', 110.8'	418	2 joints	no			
534 to 535	Division Street	97.5', 107.8', 162.2', 364.8', 377.2'	390	5 joints	no			
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527 to 526	East Street	74.5'	250	1 joint	no			
429 to 427	Orchard Avenue	114.3'	225	1 joint	no			
431 to 432	Auburn Avenue	68.9'	256	1 joint	no			
			7059.7	48 joints 49 joints		\$600/ea	\$29,400	
<b>Grout Joints or Services in 21" line</b>								
970 to MCES line	Constellation Drive	155.5'	155.5	1 joint	yes			
970 to 965	Centerville Road Easement	71'	124.1	1 joint	no			
539 to 543	East Bald Eagle Boulevard	408.5' and 493.6'	489	2 joints	yes	\$770/ea	\$3,080	
			4	joints		\$0.58	\$6,206	
Televising				10,700 lineal feet				
<b>Grand Total Bid</b>							\$50,086	

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 6th day of September, 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

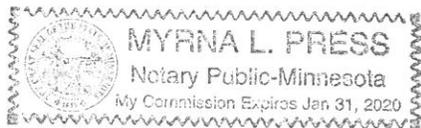
- 5. Mortgage Foreclosure Notices. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in Ramsey County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the 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 6th day of September, 2017.

[Signature]
Notary Public



WHITE BEAR TOWNSHIP
REQUEST FOR BIDS
SEALING OF SANITARY SEWER PIPE JOINTS
SS 17-1
NOTICE IS HEREBY GIVEN that White Bear Township is accepting bids for: SEALING OF SANITARY SEWER PIPE AND SERVICE JOINTS
Bids are due by 10:00 a.m., CST on September 21, 2017 at the Town Administration Building, 1281 Hammond Road, White Bear Township, MN.
The bid, including all executed documents and needed attachments, shall be placed in an envelope, marked "SS17-1: BIDS FOR SEALING OF SANITARY SEWER PIPE AND SERVICE JOINTS" and delivered prior to the bid deadline, 10:00 a.m., CST on Thursday, September 21, 2017.
All persons and firms wishing to submit bids must obtain a complete copy of the Request for Bids. Contact Dale Reed, Public Works Director @ 651-747-2777 to obtain a specification/bid copy. There is no charge for the specification/bid or for submitting bids.
Responses may be hand delivered, mailed, or delivered via courier service to the following address. Fax responses will not be accepted.
DELIVERY ADDRESS MAILING ADDRESS
White Bear Township White Bear Township
Town Administration Building Town Administration Building
Attn: Public Works Director Attn: Public Works Director
1281 Hammond Road 1281 Hammond Road
White Bear Township, MN 55110 White Bear Township, MN 55110
Published one time in the White Bear Press on September 6, 2017.



**Town Board Meeting  
October 2, 2017**

**Agenda Number: 7F – New Business**

**Town Planner Item:**

**Subject: Holiday Stationstores, 5970 Highway 61 – Permitted Use Standards Permit Request to Add a Screened Dumpster Area**

**Documentation:** Town Planner Memo / map  
Proposed Zoning Certificate w/requirements

**Action / Motion for Consideration:**

Town Planner Report at Meeting / Discuss

Based on Staff Review & Recommendation Approve the Permitted Use Standards Zoning Certificate with Attached Requirements

## MEMORANDUM

**TO:** PLANNING COMMISSION  
**FROM:** TOM RIEDESEL  
**DATE:** SEPTEMBER 27, 2017

**SUBJECT:** RELOCATION OF DUMPSTER STORAGE AREA

**REQUEST:** PERMITTED USE STANDARDS PERMIT

**APPLICANT:** HOLIDAY STATIONSTORES  
**LOCATION:** 5970 HIGHWAY 61

Staff has reviewed the proposed location of the dumpster storage area proposed at the Holiday StationStore on Highway 61. The storage area was proposed at the curve in the parking lot at the southeast corner of the property. The proposed location would block an existing drainage way to a stormwater treatment pond.

Staff contacted Holiday with regards to the proposed location and potential blockage of the drainage way. It was recommended that the location be shifted slightly. Holiday has modified the location as shown on the attached plan. The new location will eliminate 4 parking stalls but the drainage way will remain unobstructed.

Staff supports the newly proposed location of the storage area subject to the following requirements:

1. Containment of garbage runoff must be installed around the structure.
2. The existing storm system must be cleaned out to properly function.

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



# 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: Lot 1, Block 1, Leibel Addition, and commonly known as 5970 Highway 61, is in a(n) B- 2 General Business District and can be used for the following purpose: construction of a 4,140 square foot Holiday Station Store, with four gasoline pumps and an attached car wash, construction of a bulk propane fueling station, and construction of a screened dumpster area pursuant to Ordinance No. 35, the Zoning Ordinance for the Town of White Bear, Ramsey County, Minnesota.

Dated: October 2, 2017.

\_\_\_\_\_  
TOWN CLERK

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

## PERMITTED USE STANDARDS PERMIT REQUIREMENTS

HOLIDAY STATION STORE  
5970 Highway 61  
White Bear Township MN 55110

The Permitted Use Standards Permits with attached Requirements which were signed on September 16, 1996 and December 5, 1996, and July 9, 2001 are superseded by the following:

1. The following Plans are made a part hereof by reference:
  - Site & Grading Plan dated 8/2/96, with Ponding Supplement dated 8/2/96, revised 11/4/96;
  - Landscaping Plan dated 8/2/96;
  - Utility Plan dated 8/2/96;
  - Dimension & Paving Plan dated 8/2/96;
  - Bulk Propane Fueling Station Plan (Dimension and Paving Plan) dated 8/2/96, revised 6/6/01; and
  - Plan dated 9/26/17 (attached).
2. The applicant shall grant the Township a 12' x 30' sign easement on the northwest corner of the property, adjacent to the Highway 61/County Road J right-of-way, for placement of a "TOWN OF WHITE BEAR INDUSTRIAL AREA" sign.
3. Exterior sign shall be limited to a total of 100 square feet and shall be limited to three building or canopy mounted signs, and one monument sign with a sign face, which cannot exceed 100 square feet in area. The words "White Bear Township" shall appear on the sign face. The monument sign shall be limited in height to 24'. No other exterior signs, with the exception of traffic control signs, shall be allowed.
4. Exterior lighting shall be limited to concealed source structures using high pressure sodium lights. Light poles shall be bronze colored.
5. Outside storage shall be limited to "display areas" as follows:
  - A. Between the exit doors on the west side of the building, and shall be limited in size to 13' in length, 20" high and 34" deep with 3 shelves. All displays shall be nearly stacked.
  - B. A propane storage containment on the west side of the building north of the exit door.

- C. Two island display areas on the east sides of the two center islands. The display areas shall be limited in size to 4' x 4', and shall be neatly stacked.
  - D. No other outside storage shall be allowed.
6. "Do Not Enter" signs shall be placed on the east side (facing west) of the right-in-only entrance, to the side off of Highway 61.
  7. The entrance to the car wash shall include channeling of the approach, including a raised landscaped island and/or pavement marking to better define the staging area to the car wash.
  8. A fire sprinkler system shall be installed in the building.
  9. A recycling system shall be installed to recycle wash water in the car wash.
  10. The property owner shall cooperate with the Township in future master planning for the development and/or re-development of adjacent commercial properties by allowing both vehicular and pedestrian access to County Road J, Highway 61 and Leibel Street thru the applicants property whether it be by easement, right-of-way acquisition or some other formal agreement. An access agreement shall be agreed upon by all parties involved prior to or at the time of a proposal to re-develop adjacent properties.
  11. All Leibel Addition requirements shall be complied with, and approval is given for a variance from Section 5-2 of Ordinance No. 33, to allow more than one identification sign per business.
  12. Plans and specifications for the bulk propane fueling station shall be approved by the Town Fire Inspector prior to installation.
  13. Containment of garbage runoff must be installed around the structure.
  14. The existing storm system must be cleaned out to properly function.
  15. All Federal, State and local laws and Ordinances shall be complied with.



**Town Board Meeting  
October 2, 2017**

**Agenda Number: 7G – New Business**

**Town Planner Item:**

**Subject: Comprehensive Plan Consulting Services – Revise  
Agreement to Include Additional Services**

**Documentation: Town Planner Memo**

**Action / Motion for Consideration:**

Town Planner Report at Meeting / Discuss

## MEMORANDUM

**TO: TOWN BOARD**  
**FROM: TOM RIEDESEL**  
**DATE: SEPTEMBER 27, 2017**

**SUBJECT: COMP PLAN SERVICES**  
**REQUEST: ADDITIONAL SERVICES & FUNDING**

A Special Planning Commission meeting was held on September 19<sup>th</sup> to review the updates to the 2040 Comprehensive Plan including public input received from residents in regards to the plan update. At the time of the meeting, 52 comments were received.

At the Planning Commission meeting the Commission felt that the comments received represented only a small portion of the Town's population. The group recommended that additional input be solicited from the public.

The Consultant was asked to provide a proposal to add to their services which would allow additional time to advertise for input. These additional services will include:

- Reopening Social Pinpoint for an additional three weeks, ideally October 2<sup>nd</sup> – October 23<sup>rd</sup>
- HKGi will provide additional content to be sent out in the form of email blasts and social media posts (one per week)
- Town staff will be responsible for sending out the provided content via town email lists-serves, Facebook, NextDoor, and other avenues of community communication (ex: is there a school district newsletter that we could send a link to?)
- Town staff will be responsible for coordinating with the local newspaper/newsletter
  - It's our intention that any interviews with press will be done by Town staff, with newspaper staff writing the article
  - If you would like HKGi to write a newsletter article, please let me know ASAP, as that will take additional time
- Once the Social Pinpoint is closed, HKGi will pull together and summarize the community input (including the existing input)
- HKGi will write an updated summary memo and send it to Town Staff. Staff will be responsible for passing along the memo to the Planning Commission and Town Board.
- These additional services should be wrapped up by the end of October.

A proposal was received which would reopen the "social pinpoint" from October 2<sup>nd</sup> through October 23<sup>rd</sup>. The cost to for this would be not exceed \$795.

The funding source must be determined by the Town's Finance Officer.

TR/psw  
cc:admin.file  
b:2040comp



**Town Board Meeting  
October 2, 2017**

**Agenda Number:** 7H – General Business

**Subject:** Solicitor License Request – Comcast/Xfinity

**Documentation:** Staff Memo w/ attachments

**Action / Motion for Consideration:**

Discussion

Based on Staff Review & Recommendation Authorize Issuance of a Solicitor's License to Ronda Ross of Comcast/Xfinity, 10 River Park Plaza, St. Paul, Minnesota 55107, subject to the following:

1. The license shall be valid for an initial period of thirty (30) days, with automatic thirty (30) day renewals provided no complaints have been received. With a maximum of three renewals.
2. Hours of solicitation shall only be:  
9:00 a.m. – 8:00 p.m.
3. No solicitation shall be allowed on property displaying a sign stating "No Peddlers, Solicitors or Transit Merchants" or a comparable statement.
4. Township issued lanyards shall be worn at all time while soliciting.

## MEMORANDUM

**TO: TOWN BOARD**  
**FROM: PATTI WALSTAD**  
**DATE: SEPTEMBER 26, 2017**

**SUBJECT: SOLICITOR LICENSE REQUEST**

Comcast/Xfinity, 10 River Park Plaza, St. Paul, Minnesota 55107, has submitted a request for a 30-day solicitor's license in White Bear Township.

Ordinance No. 37 sets forth the procedures that need to be followed for issuance of a solicitor/peddler license. It states:

Determine type of license needed:

Comcast/Xfinity falls under the definition of "solicitor" as stated in the Ordinance:

"SOLICITOR. A person who goes from house-to-house, door-to-door, business-to-business, street-to-street, or any other type of place-to-place, for the purpose of obtaining or attempting to obtain orders for goods, wares, products, merchandise, other personal property or services of which he or she may be carrying or transporting samples, or that may be described in a catalog or by other means, and for which delivery or performance shall occur at a later time. The absence of samples or catalogs shall not remove a person from the scope of this provision if the actual purpose of the person's activity is to obtain or attempt to obtain orders as discussed above."

License application form and completed Releases from all prospective solicitors must be received.

The applicant's sales associate, Ronda Ross, has completed the License Application and submitted it to the Town along with her signed Release.

Applicant shall show proof of County license if applicable (transient merchant only).

N/A

Payment of fee.

The applicant has paid the \$35.00 license fee as set forth in Ordinance No. 54 (Fees & Charges).

Background Check.

The background check has been received and all is clear.

**Requested Action:**

Based on Staff Review & Recommendation Authorize Issuance of a Solicitor's License to Ronda Ross, of Comcast/Xfinity, 10 River Park Plaza, St. Paul, Minnesota 55107, subject to the following:

1. The license shall be valid for an initial period of thirty (30) days, with automatic thirty (30) day renewals provided no complaints have been received. With a maximum of three renewals. \*\*\*\*
2. Hours of solicitation shall only be:  
9:00 a.m. – 8:00 p.m.
3. No solicitation shall be allowed on property displaying a sign stating "No Peddlers, Solicitors or Transit Merchants" or a comparable statement.
4. Township issued lanyards shall be worn at all times while soliciting.

Noting that no complaints have been received about the previous Comcast solicitor.

\*\*\*\* This wording is new in that Comcast wishes to possibly solicit more than one month & rather than having to come to the Board each month to renew, I thought that this might work. The \$35/month fee would be collected however.

PSW/s  
cc:admin.file  
b:Comcast/Xfinity17



**LICENSE APPLICATION**

Application for: \_\_\_\_\_ Peddler License  
                    X   Solicitor License  
                  \_\_\_\_\_ Transient Merchant License

  X   Initial Application   OR   \_\_\_\_\_ Renewal Application

Dates you intend to conduct business in the Town of White Bear: 10/1/17 - 10/31/17

Number of days you will conduct business in the Town: 20

**APPLICANT** RONDA GALE RESS  
Full Legal Name

Any other names/aliases under which you conduct business or officially answer

Q207115848309  
Driver's License or MN I.D. Number

Physical Description:

Green                      Brown                      5'7"                      150 lbs  
Eye Color                      Hair Color                      Height                      Weight

2232 Cowern Pl E N. St Paul, MN                      612-239-5340  
Permanent Residence Address                      Residence Telephone Number

Circle one:

I have have not been convicted within the last five years of a felony, gross misdemeanor, or misdemeanor for violation of any state or federal statute or any local ordinance (other than misdemeanor traffic offenses).

**VEHICLE INFORMATION (Please include information for all vehicles to be used in conjunction with the license)**

CHEVY TAHOE 2003  
Make Model Year  
Green MN 3AE996 \_\_\_\_\_  
Color License Plate Number/State Vehicle Identification Number

**APPLICANT'S BUSINESS INFORMATION**

Comcast/Xfinity 10 River Park Plaza 651-706-2036  
Business Name Address Telephone Number  
ST Paul MN 55107

Federal 23-2084784  
Minnesota Sales Tax I.D. Number

**A Minnesota Sales Tax ID Number can be obtained through the Minnesota Department of Revenue at (651) 282-5225.**

Full legal name of any and all business organizations owned, managed or operated by you or for which you are an employee or agent: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Any and all address(es) and telephone numbers where you can be reached while conducting business in the Town, including a location if you are a transient merchant and intend to set up business: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Type of business to be conducted and/or items to be sold (attach an additional sheet if necessary): Provider of Cable TV, Internet, phone & Home Security Services  
\_\_\_\_\_  
\_\_\_\_\_

Description of how and where the business is to be conducted: Door to Door  
Soliciting  
\_\_\_\_\_  
\_\_\_\_\_

Proposed hours/days of operation: Monday - Saturday 10:00 am - 8:00 pm

List all other individuals to be covered by the license or all individuals accompanying you while conducting the business place-to-place: \_\_\_\_\_

\_\_\_\_\_

Please list the three most recent townships and/or cities where you have conducted business as a peddler, solicitor or transient merchant: \_\_\_\_\_

\_\_\_\_\_

***If you are applying for a transient merchant license, please attach written permission from the property owner or the property owner's agent for any property to be used by your business to this Application.***

WAIVER OF PRIVACY DATA AND AUTHORIZATION FOR RELEASE OF  
CRIMINAL AND DRIVING RECORDS AND BACKGROUND CHECK

Name Ross RONOA GALE  
Last First Middle

Address: 2232 Cowern Pl E  
N St. Paul, MN 55109

Date of Birth: 4/19/63

Driver's License Number: Q 207115848309

+++++

I hereby authorize the Town of White Bear and the Ramsey County Sheriff's Department to furnish and allow copying of any and all information from its records regarding my background check for the purpose of engaging in activities so defined by Ordinance No. 37 as either a peddler, solicitor or transient merchant. The information this authorization releases is available to the public.

In addition, I hereby specifically waive any confidential or private data privilege and also any of the requirements of Minnesota Statutes, Section 15.162 (collection, security and dissemination of records, definitions...) Minnesota Privacy Act, and Minnesota Statute 13; et.al.

A Photostat Copy of this Authorization is to be given the same force and effect as the original

*Every person who will be soliciting will need to fill this out & sign it.*

SIGNATURE: 

DATE: 9/19/17



**Town Board Meeting  
October 2, 2017**

**Agenda Number: 71 – General Business**

**Subject: Attorney/Client Closed Session**

**Documentation: None**

**Action / Motion for Consideration:**



**Town Board Meeting  
October 2, 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