



WHITE BEAR TOWNSHIP

1858
RAMSEY COUNTY
MINNESOTA

1281 HAMMOND ROAD
WHITE BEAR TOWNSHIP, MN 55110

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

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

AGENDA TOWN BOARD MEETING DECEMBER 4, 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 November 20, 2017.
5. **Consent Agenda:**
 - A. **Call Special Town Board Meeting** – Call Special Town Board Meeting for Tuesday, December 12, 2017 @ 2:00 p.m. at the Township Administrative Offices to Attend a Training Session on Active Shooters.
 - B. **Call Special Town Board Meeting & Reschedule Executive Meeting** – Call Special Town Board Meeting for Thursday, December 21, 2017, Beginning @ 11:30 a.m. to Attend the Holiday Luncheon & Reschedule the December Executive Meeting to Thursday, December 21, 2017, to Begin Following the Holiday Luncheon.
 - C. **Reschedule January & February Town Board Meetings Due to Holidays as follows:**
 - January 1, 2018 Town Board Meeting to Wednesday, January 3, 2018 Beginning @ 7:00 p.m.
 - January 15, 2018 Town Board Meeting to Monday, January 22, 2018, Beginning @ 7:00 p.m.
 - February 19, 2018 Town Board Meeting to Wednesday, February 21, 2018, Beginning @ 7:00 p.m.
 - D. **Resolution Designating Polling Places for the 2018 State Primary and State General Election** – Adopt Resolution.
 - E. **Republic Services Tipping/Disposal Fee Adjustment** – Approve Adjustment Effective January 1, 2018.
 - F. **Third Quarter Financial Report** – Approve.



recycled paper

**Agenda
Town Board Meeting
December 4, 2017**

6. Old Business:

- A. **Special Three Dog License – 1651 Garden Lane – License Renewal.**

7. New Business:

- A. **Ordinance No. 33 (Sign) Amendments - Consider Request by Wilson Tool, 4900 Constellation Drive.**

8. Added Agenda Items.

9. Open Time.

10. Receipt of Agenda Materials & Supplements.



Town Board Meeting December 4, 2017

Agenda Number: 1 - 2 - 3 - 4

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

Approval of December 4, 2017 Agenda

Approval of Payment of Bills

Approval of Minutes of November 20, 2017

Documentation: December 4, 2017 Agenda
November 20, 2017 Minutes

Action / Motion for Consideration:

Call meeting to order:	7:00 p.m.
Approval of Agenda:	December 4, 2017 (additions/deletions)
Approval of Payment of Bills	
Approval of Minutes:	Minutes of November 20, 2017

**MINUTES
TOWN BOARD MEETING
NOVEMBER 20, 2017**

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

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

APPROVAL OF AGENDA (Additions/Deletions): Prudhon moved approval of the agenda with the following amendment: Add to Consent Agenda: 5B) Reschedule December 22, 2107 Executive Meeting to Thursday, December 21, 2017, Beginning at 11:30 a.m. to Attend a Holiday Gathering. Ruzek seconded. Ayes all.

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

APPROVAL OF MINUTES OF NOVEMBER 6, 2017: Ruzek moved approval of the Minutes of November 6, 2017. Prudhon seconded. Ayes all.

CONSENT AGENDA: Ruzek oved approval of the Consent Agenda as follows: 5A) Based on Staff Review and Recommendation to Approve the Disposal of Surplus Town Equipment at a State of Minnesota Surplus Services Auction as Outlined in the Staff Memo with Proceeds Being Deposited into the General Fund; 5B) Reschedule December 22, 2107, Executive Meeting to Thursday, December 21, 2017, Beginning at 11:30 a.m. to Attend a Holiday Gathering. Prudhon seconded. Ayes all.

OLD BUSINESS: There were no Old Business Items.

7:10 P.M. PUBLIC HEARING – ASSESSMENT HEARING – 1719 WHITAKER STREET: The Public Hearing was held at 7:17 p.m. It was noted that waiving the reading of Public Notice was not necessary because publication was not required. Ruzek moved to open the Public Hearing. Prudhon seconded. Ayes all.

The Clerk reported that there were two actions recommended to the Town Board. One is a resolution summarizing the abatement and to certify special charges for the work done at 1719 Whitaker Street. The second recommendation is to adopt and confirm assessment for nuisance abatement activity at 1719 Whitaker Street. He reported that the Town Code Enforcement Officer was advised in late July, 2017 that the property at 1719 Whitaker was in a dangerous condition. On August 10, 2017 the Township declared the premises uninhabitable based on inspection performed by the Town Code Enforcement Officer. An August 24, 2017 the Township issued an abatement order directing the abatement on findings of unsanitary conditions on the property. On August 28, 2107 the Town called a public hearing to abate the nuisance. The property was inspected, identified, an order for correction of the dangerous conditions and proceed with Township authority with the steps to abate it themselves. On September 13, 2017 the property owner voluntarily signed an abatement, assessment and compliance agreement with the Township which permitted the Township to abate the conditions and allow for an assessment of the costs incurred to be assessed to the property. The Town then proceeded with abatement of the nuisance by entering into agreement with Service Masters. Their work began on October 11, 2017. Their work resulted in: 1) the removal of the

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majority of the personal property on the main and second floor, the majority of which was not salvageable; 2) all of the drywall on the main floor was removed; 3) the entire floor covering on the main floor was removed leaving the entire main floor building framing exposed; 4) sanitized all of the exposed framing on the main floor with anti-microbial solution and hand scrubbed clean; 5) electric power scrubbers and dehumidifiers were used to clean the indoor air; 6) the carpeting was removed from the second floor leaving the remainder of the second floor intact. In addition to the services contracted with Service Masters, the Town also contracted with: 1) Orkin Pest Control for pest eradication; 2) Republic Services for dumpster; 3) PODS for storage unit; and 5) White Bear Locksmith for unit security. The immediate danger to the health and welfare of the general public was abated on October 23, 2017. With approval tonight the Town will certify to the County Auditor the following special charges: 1) Republic Services - \$2,621.79; 2) PODS - \$443.47 plus moving costs; 3) Orkin - \$993.22; 4) Service Master - \$13,964.04; 5) White Bear Locksmith - \$110.00; 6) 25% Administrative Cost - \$4,533.13 for a sub total of \$22,665.65 plus Vacant Building Registration Fee - \$1,100.00 for a total levy of \$23,765.65. The special charges certified to Parcel No. 22-30-22-11-0112 shall be paid with the general taxes payable in the year 2018, collectable with such taxes during the year 2018. Kermes noted that with the PODS cost of \$443.47 it notes plus moving costs. He asked if there would be incidental moving costs. The Code Enforcement Officer stated that there would be moving costs for moving property to the property owner's current residence. The Clerk reported that the Town Board will also adopt a resolution tonight certifying special charges to Ramsey County for Parcel No. 22-30-22-11-0112 to be paid with the general taxes payable in the year 2018. He reported that the property owner is agreeable to the terms of the agreement that this amount will be levied and collected in 2018. He reported that the second resolution is adopting and confirming the assessment. He reported that the proposed assessment roll as amended adopts and confirms the special assessment for this parcel, together with interest rate of 3.8% per year. There will be one payment sometime between tonight and the end of 2018.

Ruzek moved to open the comment portion of the hearing. Prudhon seconded. Ayes all.

Pat Gagin, 1721 Whitaker asked if the property owner has agreed to pay the \$23,765.65. The Clerk reported that the property owner has agreed to have the cost levied against her property taxes. She has the opportunity to pay the amount off anytime between now and the end of 2018. At this point in time, upon adoption of the resolution, the payment would be through Ramsey County rather than through the Township. Pat Gagin asked what is happening with the property and if the notices will continue to remain posted on the door. She asked if the property owner is still owner of the property and if she will be coming back to it. The Town Attorney stated that is up to the property owner. The Town has taken all the steps necessary to abate the nuisance. Pat Gagin asked if that means that the notices will come off the door. The Town Attorney stated that it does not mean that because the unit is uninhabitable and until it is brought up to code it cannot be occupied.

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

Kermes asked the Code Enforcement Officer if he would continue to monitor the property. The Code Enforcement Officer reported that he will continue to monitor the property and work with

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the property owner. Recently she has not been sure how she will pursue the matter since she is recovering from her health issues.

Prudhon moved, based on staff review and recommendation to adopt the Resolution Summarizing Abatement Activity and Certifying Special Charges (Auditor No. 97-170006) to Ramsey County for 1719 Whitaker Street – Parcel No. 22-30-22-11-0112). Ruzek seconded. Ayes all.

Prudhon moved, based on staff review and recommendation to adopt the Resolution Adopting and Confirming Assessment for Nuisance Abatement Activity at 1719 Whitaker Street (Parcel No. 22-30-22-11-0112). Ruzek seconded. Ayes all.

FUEL TANK REPLACEMENT – AUTHORIZE REPLACEMENT: The Public Works Director reported that Public Works is recommending the replacement of the existing dual fuel tank that houses both diesel and unleaded gasoline. The tank is a 20 year old precast concrete tank and has several stress cracks that allow water from rain and snow exposure into the containment portion of the fuel tanks. Staff has, in the past sealed and painted the existing exterior of the fuel tank and water is still migrating into the containment area. The water has to be pumped out of the containment area at least once a month at an estimated cost of \$300.00 to dispose of the water because it is classified as contaminated even though there is no fuel in the containment area. Replacement tanks will be constructed of carbon steel and include containment. There will be a 1,500 gallon tank for each type of fuel. Staff has received two proposals for the replacement fuel tanks and pumps: 1) Pump and Metal Service, Inc. for \$47,265.84 and: 2) Zahl Petroleum Maintenance Company for \$46,665.000. Prudhon asked if there would be any chance of fuel spills on the ground. The Public Works Director stated that there is a concrete pad and containment area and that there should be no problems due to spills. Prudhon asked if there is any requirement to have some type of containment when the trucks are fueled. The Public Works Director stated that there are no requirements for the new tanks and that there were no requirements for the old system.

Prudhon moved, based on Public Works Director's review and recommendation to approve the proposal of the fuel tank and pump replacement from Zahl Petroleum Maintenance for \$46,665.00 with funding from the Capital Building Fund. Ruzek seconded. Ayes all.

WARNING SIREN REPLACEMENT – AUTHORIZE REPLACEMENT: The Public Works Director reported that the Township received a letter from Ramsey County Emergency Management and Homeland Security informing the Township that they would be replacing the current emergency siren activation system with a new system. This would require communities within Ramsey County to upgrade their receptive receivers at each siren location. The Township has 4 warning siren locations: 1) One at Hickory Trail and Otter Lake Road; 2) 5130 Dillon Street; 3) Buffalo Street; and 4) 2569 Stacker Blvd. Three of the sirens are over 30 years old and the 2569 Stacker Blvd siren was purchased used from the City of Fridley and is over 47 years old. Because of the Federal Signal Safety and Security Systems activation system that Ramsey County Emergency Management and Homeland Security has acquired, the Township is required to use the quote for the receiver upgrade at each siren location. The activation system is proprietary for the receivers at each site. Staff has worked with the Town's

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Engineering consultant to review options for the siren replacement. It has been determined that there are justifiable reasons to single source FS sirens. First is the cost to prepare bidding documents and receive sealed bids would exceed any cost savings that may or may not exist by pursuing other siren manufacturers. Secondly, the extra effort that would be required to coordinate the installation of the Class 2 poles with accompanying sirens in conjunctions with the receiver installation that is proprietary to the new activation system, and having the receiver installation contractor mobilize a second time to perform the system optimization at the activation location. The Township received a quote for the upgrade for the receivers from Federal Signal for \$27,898.56. In addition to the receiver upgrade a quote has been received from Federal Warning Systems for the replacement of the existing sirens. Cost for replacing all four sirens, including replacement of existing wood poles with Class 2 wooden poles and system optimization programming at the activation location is \$71,622.50. The proposed replacement sirens will all be FS model 2001-130 dBC. Of the four locations, three will require power supply modifications from 240- volt, 3-phase to 240 volt, 1-phase. Estimated costs for the power supply modifications are \$12,000. Staff will work with a local electrician and either Xcel Energy or Connexus on the change. Total cost for new receivers, new warning sirens, and electrical power supply changes is \$111,521.06. This total is higher than the estimate provided to the Town Board in March of 2017 of \$101,988.56 due to the changes required in the power supply at three of the four locations. The Finance Officer has identified funding for the additional electrical work. The funding for the warning siren replacement will be provided by the Improvement Fund which has \$100,000.00 designated for the purchase and is identified for 2017 in the 2017-2021 Capital Improvement Plan. Staff is recommending the approval of the quote for the receiver replacement at each of the four siren locations from Federal Signal Safety and Security Systems for \$27,898.56 and \$71,622.50 from Federal Warning Systems. In response to a question if this equipment is recommended by Ramsey County the Public Works Direction stated that it is recommended by Ramsey County and is compatible with their equipment. Ramsey County does not provide maintenance of the equipment but maintenance is provided by Federal Warning Systems.

Prudhon moved, based on Public Works Director's review and recommendation to approve the quote for receiver replacement at each of the four warning siren locations from Federal Signal Safety and Security Systems for \$27,898.56 with funding provided from the Improvement Fund. Ruzek seconded. Ayes all.

Prudhon moved, based on Public Works Director's review and recommendation to approve the quote from Federal Warning Systems for the warning siren replacement at each of the four existing siren locations for \$71,622.50 with funding provided from the Improvement Fund. Ruzek seconded. Ayes all.

RATIFY THE PARK BOARD'S RECOMMENDATION TO SET THE 2018 TOWNSHIP DAY FOR THE SECOND SATURDAY IN SEPTEMBER (SEPTEMBER 8, 2018): The Planner reported that the Park Board is planning to hold the Township Day event on September 8, 2018, the second Saturday in September. The Park Board had discussions regarding changing the date but felt that the second Saturday of September is best. Previous Township Day events have all been held on the second Saturday in September. Kermes asked if other events being held that weekend which will affect the Township Day event. The Planner stated that other

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events are being held in other communities and none have been planned for that date at Polar Lakes Park. The Planner reported that for the 2018 event the vendors will be placed in the north parking lot with parking in the south parking lot. That places the Town Hall in the central area. He stated that no action is required of the Town Board and the report is only an update.

Ruzek moved to support the date of September 8, 2018 as the date for the 2018 Township Day event. Prudhon seconded. Ayes all.

AUTHORIZE WAIVER OF BLUESFEST SHARED COSTS: The Planner reported that Bluesfest is a new event and was held the day after Township at Polar Lakes Park this year. This was a private event put on by Tally's and C.G. Hooks Barbeque in City of White Bear. Staff worked closely with the group on sharing costs since it was being held the same weekend as Township Day. Shared costs include the stage tent, dumpsters, and rental of portables. Other costs that were specific to the Bluesfest is pumping of the portables and moving them and a \$50 fee for park use. There were some conflicting activities going on at the park during Bluesfest that staff was unaware of. There was a 5 team soccer tournament held and contractors were bringing trucks and equipment through the gate due to irrigation repair of the ballfields south of the Bluesfest event. The Park Board discussed, and recommends, that the Town waive the shared costs due to these disruptions. The Town would have paid the cost for the stage tent and dumpster anyway. The Park Board recommends that the Bluesfest committee only be charged for pumping the portables and the \$50 park permit fee which resulted in a \$200 cost to them.

Ruzek moved, based on Park Board and Staff review and recommendation to waive the shared costs for the dumpster, stage tent, and toilet rental due to inconvenience caused by the 5 team soccer tournament scheduled for that day and the activity of construction trucks coming and going to repair the field irrigation noting that any savings realized due to the share costs being waived will go to the MS foundation. Prudhon seconded. Ayes all.

APPROVE PROCEEDING FORWARD WITH WEST AVENUE RAINGARDEN HANDICAPPED ACCESSIBLE RAMP/WALKWAY TO THE LAKE: The Planner reported that the West Avenue property located off of West Bald Eagle Blvd. was an old boat launch which had become in disrepair. The property was not an active park. It was just open space with a bench. The Rice Creek Watershed District identified that property as a good area to consider for storm water treatment. The Town worked with the Rice Creek Watershed District and the Ramsey County Conservation District on a raingarden project that was completed in July of this year utilizing grant funding. When the Park Board reviewed the project they also considered handicap access to the lake. This is only one of the lakeshore properties that the Town has that is relatively level and the Park Board thought it is an opportunity to provide handicap access to the lake. The cost associated with a ramp or walkway to the lake was estimated at \$18,000 at the time. As a result, the Park Board recommended not to go forward with the proposal. After the raingarden was completed nearby neighbors informed the Town that they lost their foot access to the lake and asked if the Town could modify plans and reconsider. Staff worked with the contractor for the Ramsey Conservation District who designed the rain garden and abutting neighbors to identify where the access could be placed and for what additional cost. The contractor provided plans which shows 120' linear feet of walkway designed at a 20:1

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slope. Some retaining walls would be necessary to provide the walkway. Packed crushed stone/gravel fines, possibly with a bonding material added to it would be the most economical surface material which could be used on the path and meet ADA requirements. The walkway would go from West Bald Eagle Blvd. to the lake. An estimated cost for constructing a walkway is \$15,000. The Park Board recommends that the Town move forward with the project. If approved, plans and specifications would be prepared. The Ramsey County Conservation District will put together contractors for construction in 2018. Kermes asked where the funds would come from for the project. The Planner reported that funding would come from the Park Acquisition and Development Fund because this would be a new improvement for a park property. He reported that plans would be brought back to the Town Board when prepared. Ruzek reported that the Park Board recognizes that this is not an ideal ADA access to the lake but are looking for providing some access to the lake.

Ruzek moved, based on Park Board review and recommendation to proceed forward with the West Avenue Raingarden handicapped accessible ramp/walkway to the lake. Prudhon seconded. Ayes all.

APPROVE UPDATED FEES FOR TOWN PARK USE POLICIES AS RECOMMENDED BY THE TOWN BOARD:

The Planner reported that the Town has several park use policies. The Park Board has been reviewing the Polar Lakes Park Facility Use Policy; the Park Facility Use Policy; the Amphitheater Policy; and Tournament Use Policy. Staff and Park Board have recommended amending the policies so park fees would be similar in each of the policies. The Amphitheater Policy has a \$1.00 per person fee (over 200) people. It is recommended to have that same fee for all policies. A paragraph has been added that states that fees may be waived by the Town for non-profit's use of the park. Those are the only updates to the policies. Other fees, which are recommended to remain unchanged are: \$20.00 per day per soccer field (outside school district); no charge within the school district since they do the programming; \$200 for tournaments (within school district #624); and \$500 for tournaments for other outside groups. All fees go into the Town's General Fund. Prudhon asked if Public Works has reviewed the fees to see if they cover the cost of use of the fields. The Public Works Director reported that there was actually no cost to Public Works this year since the sponsors cleaned up the fields themselves. The Planner states that the policy for tournaments is that the sponsor clean up the area.

Ruzek moved, based on Park Board review and recommendation to approve the updated fees for the Town's Park Use Policies as outlined in the minutes of the October 19, 2017 Park Board Meeting. Prudhon seconded. Ayes all.

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

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

Ruzek moved to adjourn the meeting at 7:45 p.m. Prudhon seconded. Ayes all.

Respectfully Submitted,



**Town Board Meeting
December 4, 2017**

Agenda Number: 5A – Consent Agenda

Subject: Call Special Town Board Meeting – Call Special Town Board Meeting for Tuesday, December 12, 2017 @ 2:00 p.m. at the Township Administrative Offices to Attend a Training Session on Active Shooters

Documentation: Notice

Action / Motion for Consideration:

Receive Information / Discuss

Call Special Town Board Meeting for Tuesday, December 12, 2017 @ 2:00 p.m. at the Township Administrative Offices to Attend a Training Session on Active Shooters



Public Notice

Special Town Board Meeting

Tuesday, December 12, 2017

Beginning At 2:00 p.m.

At

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

- ◆ **To Attend an Active Shooter Presentation**



**Town Board Meeting
December 4, 2017**

Agenda Number: 5B – Consent Agenda

Subject: Call Special Town Board Meeting & Reschedule Executive Meeting – Call Special Town Board Meeting for Thursday, December 21, 2017, Beginning @ 11:30 a.m. to Attend the Holiday Luncheon & Reschedule the December Executive Meeting to Thursday, December 21, 2017, to Begin Following the Holiday Luncheon

Documentation: Notice

Action / Motion for Consideration:

Receive Information / Discuss

Call Special Town Board Meeting for Thursday, December 21, 2017, Beginning @ 11:30 a.m. to Attend the Holiday Luncheon & Reschedule the December Executive Meeting to Thursday, December 21, 2017, to Begin Following the Holiday Luncheon



Public Notice

Special Town Board Meeting

Thursday, December 21, 2017

Beginning At 11:30 a.m.

At

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

- ◆ **To Attend a Holiday Gathering**



**Town Board Meeting
December 4, 2017**

Agenda Number: 5C – Consent Agenda

**Subject: Reschedule January & February Town Board Meetings
Due to Holidays as follows:**

- January 1, 2018 Town Board Meeting to Wednesday, January 3, 2018 Beginning @ 7:00 p.m.
- January 15, 2018 Town Board Meeting to Monday, January 22, 2018, Beginning @ 7:00 p.m.
- February 19, 2018 Town Board Meeting to Wednesday, February 21, 2018, Beginning @ 7:00 p.m.

Documentation: None

Action / Motion for Consideration:

Receive Information / Discuss

**Reschedule January & February Town Board Meetings Due to
Holidays as follows:**

- January 1, 2018 Town Board Meeting to Wednesday, January 3, 2018 Beginning @ 7:00 p.m.
- January 15, 2018 Town Board Meeting to Monday, January 22, 2018, Beginning @ 7:00 p.m.
- February 19, 2018 Town Board Meeting to Wednesday, February 21, 2018, Beginning @ 7:00 p.m.



**Town Board Meeting
December 4, 2017**

Agenda Number: 5D – Consent Agenda

Subject: Resolution Designating Polling Places for the 2018 State Primary and State General Election – Adopt Resolution

Documentation: Resolution

Action / Motion for Consideration:

Receive Information / Discuss

Adopt **Resolution Designating Polling Places for the 2018 State Primary and State General Election**

Ruzek – Moves

Prudhon – Seconds

EXTRACT OF MINUTES OF A MEETING OF THE TOWN
BOARD OF THE TOWN OF WHITE BEAR, MINNESOTA,
HELD ON DECEMBER 4, 2017

Pursuant to due call and notice thereof, a Regular meeting of the Town Board of the Town of White Bear, Minnesota, was duly held at Heritage hall ins aid Town on December 4, 2017 at 7:00 p.m.

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

Supervisor Ruzek introduced the following Resolution and moved its adoption:

**RESOLUTION DESIGNATING POLLING PLACES
FOR THE 2018 STATE PRIMARY & STATE GENERAL ELECTION**

WHEREAS, Minnesota Statutes, 204B.16, Subd. 1, requires the Town Board by ordinance or resolution, to designate polling places for the upcoming year,

AND WHEREAS, changes to the polling place locations may be made at least 90 days before the next election if one or more of the authorized polling places becomes unavailable for use,

AND WHEREAS, changes to the polling place locations may be made in the case of an emergency when it is necessary to ensure a safe and secure location for voting,

AND WHEREAS, the State Primary is August 14, 2018, and the State General Election is November 6, 2018,

NOW, THEREFORE, BE IT RESOLVED that the White Bear Township Town Board hereby designates the following polling places for elections conducted in the Township in 2018:

Precinct 1	Otter Lake Elementary 1401 County Road H-2
Precinct II	Eagle Brook Church 2401 Buffalo Street
Precinct III	South Shore Trinity Lutheran Church



**Town Board Meeting
December 4, 2017**

Agenda Number: 5E – Consent Agenda

Subject: Republic Services Tipping/Disposal Fee Adjustment
– Approve Adjustment Effective January 1, 2018

Documentation: Hirstein Email / Various Refuse Contract Sections

Action / Motion for Consideration:

Receive Information / Discuss

In Accordance with the Provisions of the Refuse Contract with Republic Services, Approve the Tipping/Disposal Fee Adjustments Effective January 1, 2018 as Outlined in the Email

From: Hirstein, Richard [<mailto:RHirstein@republicservices.com>]
Sent: Thursday, October 12, 2017 3:03 PM
To: Tom Riedesel <Tom.Riedesel@whitebeartownship.org>; Bill Short <Bill.Short@whitebeartownship.org>
Subject: Disposal Rate adjustment

Hello Tom and Bill,

Thanks for your time yesterday. I appreciated it very much and it was great to be able to talk with you.

We have a couple of options for you on that Disposal Rate increase—as we discussed. The other rates are fixed for 2018 (no increase from 2017, as part of the new contract).

- 1) You could go with a monthly, flat rate of \$.58 increase across the board to each level of service;
- 2) You could make it proportional, based on trash cart size. If you did this, the rate increase would look like this:

\$0.42 for the 35 gallon customers
\$0.56 for the 65 gallon customers
\$0.82 for the 95 gallon customers

Please let me know what you think and we can get it going (after Board approval). Thanks very much, guys.

Rich Hirstein

Manager of Municipal Recycling & Waste Services
Serving the Greater Minneapolis, MN Area

white goods, and any other items and materials collected under this Agreement.

2. REPUBLIC shall dispose of all acceptable mixed municipal solid waste at the Ramsey/Washington County Resource Recovery Facility at which the operator has assumed all liability arising from the Solid Waste Disposal Act, the Comprehensive Environmental Response Compensation and Liability Act; and similar Federal and State Statutes, or other State-permitted MSW facilities approved by the TOWN. New construction debris and other material not acceptable at the Resource Recovery Facility shall be disposed of at another State-permitted landfill or facility.
3. Except as otherwise provided in this Agreement, REPUBLIC shall be responsible for payment of all disposal or tipping fees and related taxes, surcharges or tariffs applied to these fees or related to the weight, volume, strength or content of mixed municipal solid waste and yard waste collected under the Contract.

C. Spring Clean-Up.

The TOWN shall have a spring "clean-up" day for its residents during the term of this Contract. The TOWN shall approve a Saturday each spring as the spring clean-up day. Mixed municipal solid waste shall be delivered by residents to a drop-off site that shall be designated by the TOWN. REPUBLIC shall provide collection equipment and labor to load and transport mixed municipal solid waste collected at these events to the disposal site; at no additional charge to the TOWN. All disposal or tipping fees charged for mixed municipal solid waste collected at the spring "clean-up" events will be paid by REPUBLIC. All disposal or tipping fees charged for electronic items collected at the spring "clean-up" events will be paid by the TOWN based on confirmed load tickets or other TOWN approved documentation. It shall be REPUBLIC's responsibility to notify residents of the designated clean-up day, including mailed notice separate from the billing statement, at least 30 days prior to the spring clean-up. REPUBLIC shall also place a notice in the official newspaper of the TOWN (at least 6 square inches), to be published one week prior to the spring clean-up date.

D. Neighborhood Clean-Up.

From time to time neighborhood groups within the TOWN perform voluntary neighborhood clean-ups. REPUBLIC shall be required to pick up all bagged mixed municipal solid waste and a reasonably small amount of non-standard items such as construction debris, etc., that are generated by the

B. Annual Adjustment.

Once each year either party may request adjustments to the collection and recycling fee of the Contract's base dwelling unit rates. Any adjustments shall be effective on January 1st of the next year.

C. Tipping/Disposal Fee Adjustment.

The disposal fee identified in Attachment A shall increase or decrease corresponding with the increase or decrease of tipping or disposal fees, governmental fees, or other pass-through expenses paid by REPUBLIC. Adjustments may also be made upon the basis of a decrease in the amount of solid waste generated due to the abatement of solid waste generated or the exclusion of recyclable or compostable materials from the solid waste stream, upon mutual agreement of both parties. Either party may initiate an adjustment in the disposal fee if the Ramsey/Washington County Resource Recovery Facility adjusts its rate, upon a thirty (30) day notice due to an increase or decrease in the tipping or disposal charges.

D. Base Dwelling Unit Prices.

The base dwelling unit prices will be established in Attachment A of this Contract.

E. Senior Rates.

Residential customers who are 65 years of age or older qualify for 68 gallons per week mixed municipal solid waste service at special senior rates which shall be equal to one-half of the unlimited rate.

F. Additional Collection Services.

Charges for pickup of additional items and for additional service shall be at a rate approved by the Town Board. The additional collection service price will be established in Attachment B of this Contract. Said rates may only be increased if approved by the TOWN.

G. Billing.

REPUBLIC shall be responsible for the billing of base and additional collection services to the dwelling unit.

H. Certificate of Delinquent Payments.

All payments which are 30 days past due and having been properly billed to the occupant of the premises served, shall be deemed a delinquent account and may be certified to the Town Clerk who shall prepare an assessment roll each year providing for assessment of the delinquent account against the respective property served. REPUBLIC shall submit this list to the Town Clerk by September 1st of each year. The TOWN shall

**White Bear Township Residential Mixed
Municipal Solid Waste,
Recycling and Yard Waste Contract**

THIS CONTRACT, made and entered into this 5th day of December, 2016, by and between the TOWN OF WHITE BEAR, a Township in the County of Ramsey, (hereinafter referred to as "TOWN"), and ALLIED WASTE SERVICES OF BLAINE, d/b/a Republic Services, (hereinafter referred to as "REPUBLIC").

Recitals:

WHEREAS, the TOWN requires the collection and disposal of mixed municipal solid waste, compost and recyclables from residences in the TOWN;

AND WHEREAS, REPUBLIC is engaged in the business of collecting and disposing of mixed municipal solid waste, compost, and recyclables;

AND WHEREAS, the TOWN desires to contract for the services of REPUBLIC, and REPUBLIC desires to provide the services to the residents of the TOWN;

NOW, THEREFORE, it is agreed by and between the parties:

I. Purpose of Contract.

REPUBLIC shall collect and properly dispose of all mixed municipal solid waste and recyclable materials set for collection from residential property within the boundaries of the TOWN at least once each week for the trash and every other week for the recycling during the term of the Contract. Such collections shall include all residential properties. REPUBLIC shall provide all personnel equipment and facilities necessary to fulfill the terms and conditions of this Contract. REPUBLIC shall provide said services in compliance with all applicable laws and shall charge for said services on a volume-based schedule.

II. Term of Contract.

The term of this Contract shall be a period of five (5) years commencing January 1, 2017 and ending December 31, 2021. The TOWN and REPUBLIC may agree to extend the term of this Agreement for an additional two-year period of time beyond the original termination date, upon such terms and conditions as the parties shall mutually agree. Negotiations for such renewal shall be initiated by REPUBLIC in writing no later than January 1, 2020.



**Town Board Meeting
December 4, 2017**

Agenda Number: 5F – Consent Agenda

Subject: Third Quarter Financial Report - Approve

Documentation: Finance Officer Report

Action / Motion for Consideration:

Receive Information / Discuss

Approve the Third Quarter Financial Report

MEMORANDUM

Date: November 6, 2017
 To: Town Board
 From: Tom Kelly, Finance Officer
 Re: Third Quarter 2017 Financial Report

The third quarter is in the books. The Town's revenues are higher than expected and expenditures are a little lower than they normally are at this point in time. The key to the Town's finances are that even though we are 75% through the year, revenues and expenditures do not flow evenly through the year. Even with some one time expenditures spent at the beginning of the year and the Town having paid all of its 2017 debt payments, expenditures are only 64% spent compared to budget compared to 55% last year at this time. Likewise, on the revenue side the major revenue source is property taxes and special assessments, which are received in July and December. In addition, utility billing revenues are only received once a quarter. Debt Service Fund revenue is 93% due to onetime transfers to fund debt retirements, of which puts revenue collect at 72% of budget compared to 57% in 2016. Below is a chart comparing budget to actual revenue and expenditures for the years 2017 and 2016.

Revenues	2016 Budget	2016 Actual	% Received	2017 Budget	2017 Actual	% Received
General Fund	3,724,485.00	2,294,130.31	61.60%	3,878,932.00	2,437,272.49	62.83%
Special Revenue Fds	39,026.00	2,754.56	7.06%	0.00	0.00	0.00%
Debt Service Funds	335,099.00	246,711.53	73.62%	791,369.00	732,765.56	92.59%
Capital Project Funds	1,013,215.00	598,971.18	59.12%	1,059,112.00	653,136.25	61.67%
Enterprise Funds	4,514,170.00	2,065,426.23	45.75%	3,682,132.00	2,780,665.20	75.52%
Internal Service Fds	504,301.00	564,054.06	111.85%	574,765.00	582,874.33	101.41%
Total	10,130,296.00	5,772,047.87	56.98%	9,986,310.00	7,186,713.83	71.97%

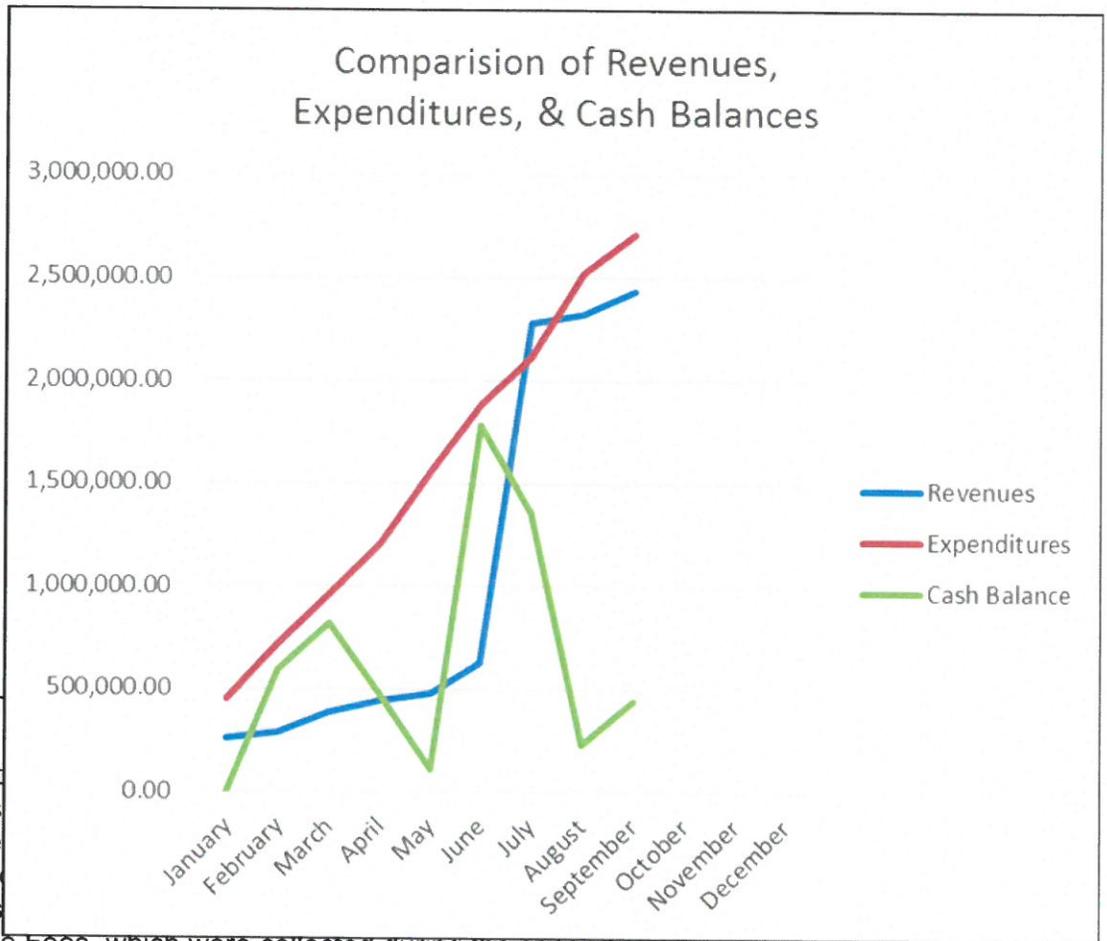
Expenditures	2016 Budget	2016 Actual	% Spent	2017 Budget	2017 Actual	% Spent
General Fund	3,724,485.00	2,614,257.32	70.19%	3,878,932.00	2,710,618.16	69.88%
Special Revenue Fds	26,000.00	16,027.34	61.64%	0.00	0.00	0.00%
Debt Service Funds	419,846.00	419,745.98	99.98%	935,397.00	759,423.53	81.19%
Capital Project Funds	2,188,380.00	1,218,805.25	55.69%	1,428,727.00	788,328.41	55.18%
Enterprise Funds	6,159,620.00	2,442,593.99	39.65%	7,643,416.00	4,736,199.63	61.96%
Internal Service Fds	646,810.00	495,937.77	76.67%	496,575.00	271,008.59	54.58%
Total	13,165,141.00	7,207,367.65	54.75%	14,383,047.00	9,265,578.32	64.42%

It should be noted that the budget amounts are for the fiscal year and the actual is year to date. The rest of the report will detail the revenues and expenditures of each of six fund types.

GENEARL FUND

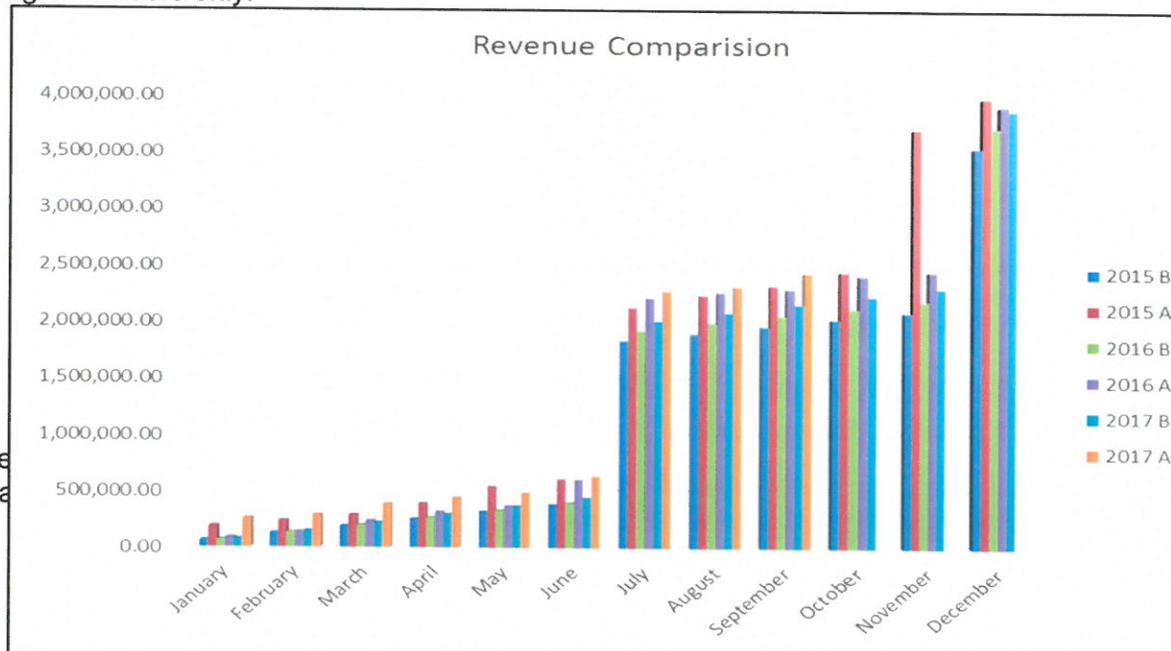
Through the third quarter, revenues are above budget projections and expenditures are below budget, which is demonstrated in future charts. However, the chart on the following page shows how revenues are below expenditures levels for the first three quarters of the year, which is

typical. In addition, one can see how the Town depends on reserves (cash balances) until the tax payments are received in December.



For the year, the Town has collected more than budgeted through September, which is due to the fact that the Town has collected more than budgeted through licenses & permits which one lease is

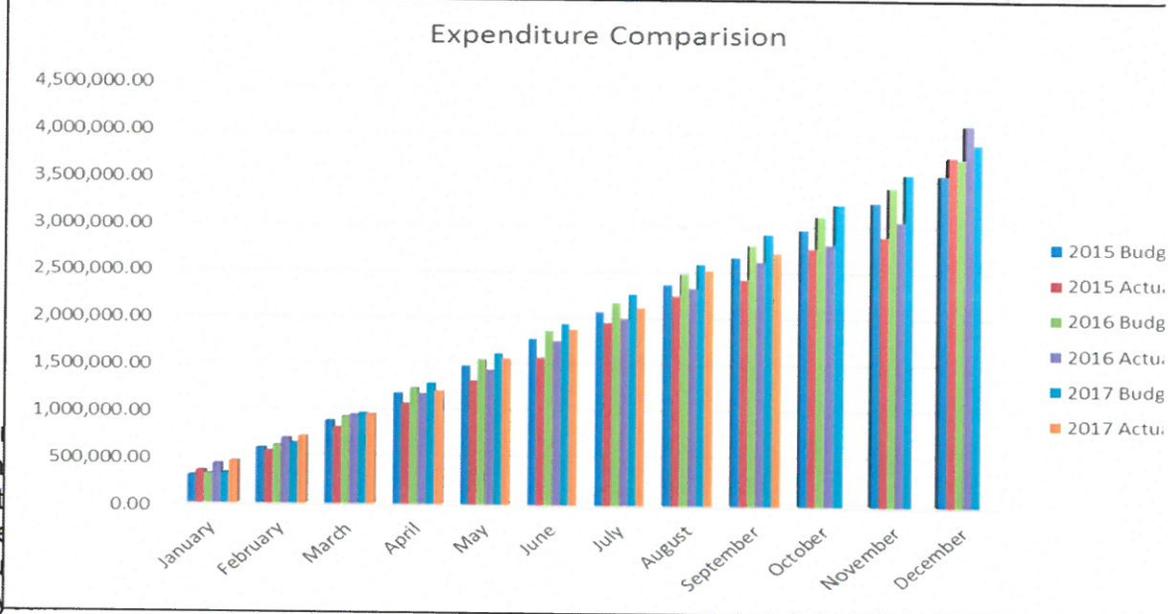
cable TV Franchise Fees, which were collected during the second quarter in the amount of \$96,457.36 when only \$80,246 was budgeted. The chart on the following page compares budget to actual revenues for the last two years. For this chart, the monthly revenues are 3/4 of the total revenue budget with the exception of property taxes, which are included in the July, and December budget numbers only.



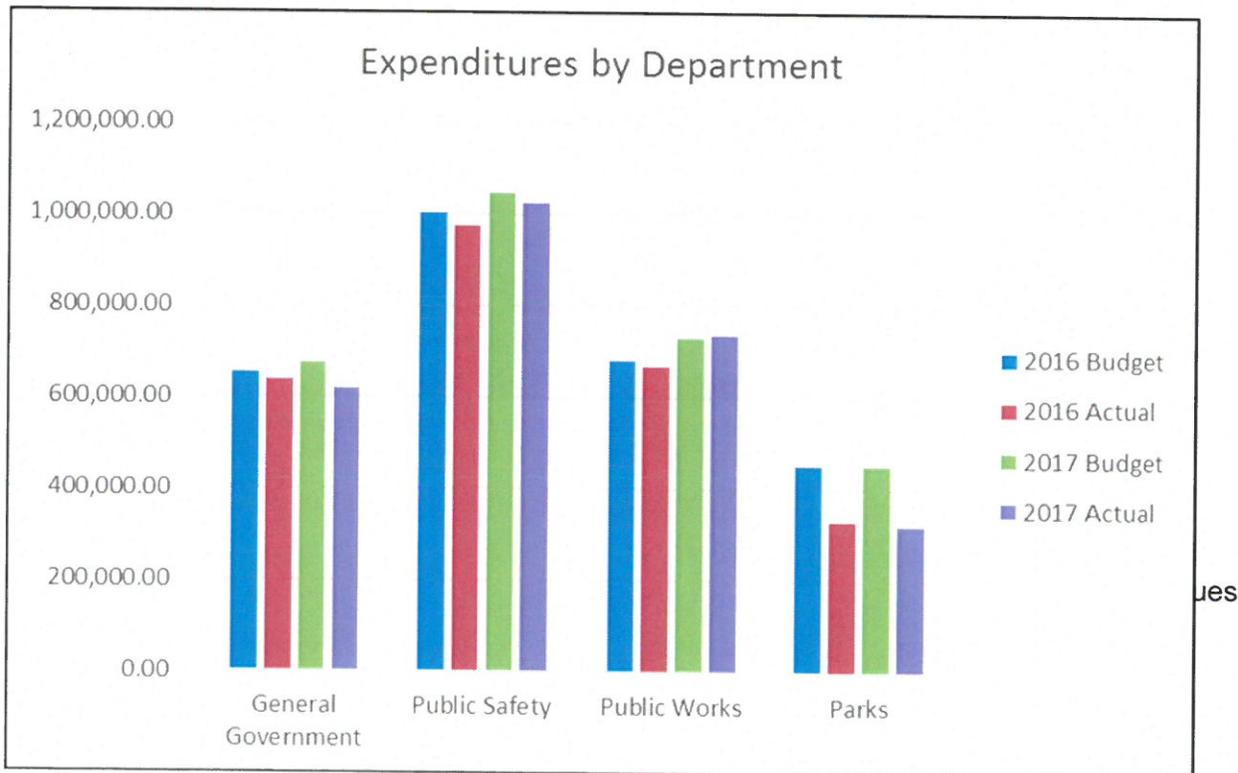
Actual expenditure higher than 2016 a

	2016 Budget	2016 Actual	% Spent	2017 Budget	2017 Actual	% Spent
General Government	654,846.00	637,572.44	97.36%	675,300.00	620,180.32	91.84%
Public Safety	1,004,658.00	976,504.40	97.20%	1,047,583.50	1,027,869.41	98.12%
Public Works	681,117.00	669,627.95	98.31%	731,313.00	738,526.54	100.99%
Parks	452,742.00	330,552.53	73.01%	455,002.47	324,041.89	71.22%
Total	2,793,363.00	2,614,257.32	93.59%	2,909,198.97	2,710,618.16	93.17%

If expenditures were over budget, which is the case for some of their budgets after equipment rental for sealcoating and snowplowing completed for the year.



The bad news is that there are expenditures for snow plowing or sanding activities, which will begin before the end of the year. This could increase the road and bridge activity which is currently 76% spent closer to 100% or more. In addition, the Town still has not recorded the expenditure for the replacement of playground equipment for 2017.



SPECIAL REVENUE FUNDS

The Town has moved the two Special Revenue Funds, the Park Acquisition Fund and Township Day’s Festival to the Capital Project Funds and General Fund respectively. Therefore, there are no revenues or expenditures for the Special Revenue Fund in 2017.

DEBT SERVICE FUNDS

The Town Debt Service expenditure activity is completed for the year with both the February and August 1st bond payments being made totaling \$759,423.53. The Town now has \$2,290,000.00 in outstanding debt. Funding or revenues, which currently totals \$732,765.56, comes from Water Utility Fund revenues as well as property taxes, special assessments, and tax increments of which, the Town received the first half property tax settlement in July and will receive the 2nd half in December.

CAPITAL PROJECT FUNDS

Revenues received are from first half (tax settlement) special assessments, interest earnings, the billboard lease in the Community Park Fund, and a transfer from the Town’s General Fund for the Town’s annual sealcoating project. The expenditures are transfers from the Towns EDA Fund to the Debt Service Funds for their share of 2017 bond payments.

ENTERPRISE FUNDS

The Town’s Enterprise Funds third quarter financial information is as follows:

Revenues	2016 Budget	2016 Actual	% Received	2017 Budget	2017 Actual	% Received
Water Fund	1,724,984.00	1,034,794.54	59.99%	1,568,845.00	1,255,245.14	80.01%
Sanitary Sewer Fund	2,371,086.00	799,772.03	33.73%	1,716,760.00	1,127,299.40	65.66%
Storm Water Fund	418,100.00	230,859.66	55.22%	396,527.00	398,120.66	100.40%
Total	4,514,170.00	2,065,426.23	45.75%	3,682,132.00	2,780,665.20	75.52%

Expenses	2016 Budget	2016 Actual	% Spent	2017 Budget	2017 Actual	% Spent
Water Fund	1,682,926.00	1,049,577.86	62.37%	3,029,456.00	1,893,969.91	62.52%
Sanitary Sewer Fund	3,481,739.00	1,260,167.75	36.19%	3,538,897.00	2,668,589.63	75.41%
Storm Water Fund	994,955.00	132,848.38	13.35%	1,075,063.00	173,640.09	16.15%
Total	6,159,620.00	2,442,593.99	39.65%	7,643,416.00	4,736,199.63	61.96%

Revenues for the first three quarters of the year are above last year revenues for all three funds, which is due the new rates. Expenses for the year are higher than prior year expenses due to the water tower painting in the Water Fund, the sewer lining project in the Sanitary Sewer Fund and drainage improvement projects in the Storm Water Fund. Also, keeping in mind that the expense budget for the Enterprise Funds includes depreciation, which will not be recorded until the end of the year. Because of the infrastructure projects in these funds, expenses will exceed revenues in 2017.

INTERNAL SERVICE FUNDS

The Town's Town Building, Capital Equipment, and Risk Management Funds have collected their one-time fees from the General Fund and Enterprise Funds, thus they have collected 100% of their revenues, except for interest earnings, for 2017.

The Town Building Fund has spent only 3.47% of their budgeted items as some of the larger items budgeted have been delayed until sometime in the future and the funds will not be spent in 2017. On the other hand, the Capital Equipment Fund has spent 84.92% of their budget for small tools, furniture, pickup truck, mowers, and miscellaneous equipment.

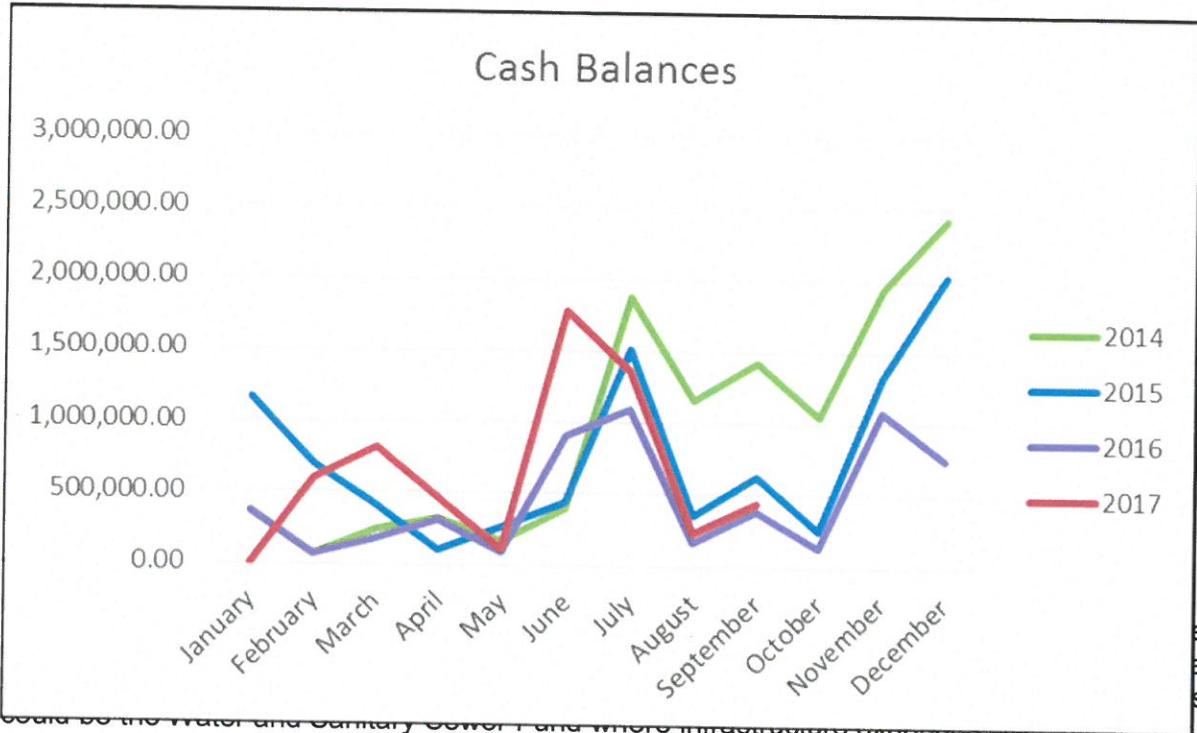
The Risk Management Fund has paid the worker's compensation premiums and the majority of the 2017 insurance premiums, so its expense activity is almost completed for the year. Premiums are anticipated to cost the Town \$146,375, which is an increase of \$14,232 from 2016. All of 2017 the worker's compensation premiums were paid in the amount of \$31,579.00 compared to \$34,396.60 for all of 2016. The decrease is due to decreases in claims which results in a lower experience modification factor. Overall, the Risk Management fund has spent 73.79% of its 2017 budget.

CASH AND INVESTMENTS

Finally, the Town had \$9,275,245.74 invested as of September 30st. This compares to \$12,180,584.25 invested last year at this time. Having less funds invested compared to last year is a result of funding the sanitary sewer lining and water tower painting projects internally instead of issuing debt. The investments had an average interest rate of 2.942% compared to 2.909% last year. Because of the premiums paid, the Town's yield to maturity is only 2.457% compared to 2.525% in 2016. The chart below shows the Town's invested funds for the last four years.



The other factor are the funds the T of its money in July large amount of ca proceeding months. Depending on expenditures and other revenues collect the town may draw on its investments to help meet its cash needs, as has been the case during the first three quarters of 2017. The chart following page demonstrates the cash flow for the Township the last four years.



could be the water and sanitary sewer and where infrastructure expenses will exceed revenues for the year. The General Fund, which has revenues slightly above budget amounts and expenditures near budget amounts, should end the year with no, to small increases in reserves. The Township has sufficient cash and investments to meet its obligations until the Township receives its second tax settlement in December, however investment earnings remains low. Therefore, it would appear the Township is in good financial shape for 2017.



**Town Board Meeting
December 4, 2017**

Agenda Number: 6A – Old Business

**Subject: Special Three Dog License – 1651 Garden Lane –
License Renewal**

**Documentation: Staff Memo
Animal Control Officer Report
Previous License Application**

Action / Motion for Consideration:

Receive Information / Discuss

Option 1:

Receive Animal Control Officer Report & Call Public Hearing for
Wednesday, January 6, 2018 @ 7:10 p.m.

Option 2:

Receive Animal Control Officer Report & Continue the Matter Until Such
Time as a Renewal Application is Received.

Approve the Renewal of the Special Three Dog License @ 1651 Garden
Lane through March 31, 2020, subject to the following conditions:

Minutes
Town Board Meeting
September 18, 2017

**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.

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 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. Huebener stated that at this time it has not helped. Amy's son has been putting the slating on the fence 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 Huebener'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.

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.

Minutes
Town Board Meeting
August 28, 2017

7:30 P.M. PUBLIC HEARING – SPECIAL THREE DOG LICENSE REQUEST AT 1651 GARDEN

LANE: The Public Hearing was held at 7:50 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 Clerk reported that the applicant has requested that the Public Hearing be continued September 18, 2017 to give them and Animal Control Officer more time to prepare application and report.

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

Ruzek moved, based on applicant's request, to continue the Public Hearing – Special Three Dog License request at 1651 Garden Lane to Monday, September 18, 2017, at 7:20 p.m. Prudhon seconded. Ayes all.

MEMORANDUM

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

SUBJECT: 1651 GARDEN LANE – SPECIAL THREE DOG LICENSE

I spoke with Amy Chester yesterday and she stated that Suzie has been relocated and that she would be applying for a new license.

I emailed her the form but have not received it back yet.



Ramsey County Sheriff's Office

Jack Serier, Sheriff

Public Safety Services Division

1411 Paul Kirkwold Drive • Arden Hills, Minnesota 55112

Phone: 651-266-7300 • Fax: 651-266-7306

www.RamseyCountySheriff.us

SPECIAL THREE DOG LICENSE INSPECTION REPORT

Date: 28 November 2017

Time of Inspection: 1320hrs to 1355hrs

Address of Owner: Amy Chester
1651 Garden Lane
White Bear Township, MN 55110
651-414-0634

Number of animals reviewed on premises: 4

Type of animal reviewed: Dogs: 13yo female Lhasa Apso named MISSY, 10yo female Chihuahua named LILY, 10yo female Min-Pin named JASMINE and 7yo male Chihuahua named BUMPER.

Appearance of animals reviewed: All dogs showed no apparent signs of illness, had well groomed/shiny coats and appeared healthy relative to their ages. MISSY scores 3 to 4 on Body Conditioning System (BCS), LILY scores 5 BCS, JASMINE scores 6 to 7 BCS, and BUMPER scores 4-5 BCS.

Access to clean potable water: Yes—township tap water, 3 communal bowls throughout the house.

Access to sufficient quality food: Yes, Dry food kept in sealed plastic container. MISSY has canned food—no teeth.

Enough leashes for each dog: Yes, 7+ leashes and harnesses handy at the door.

Shelter Conditions: Animals have access to entire house of ~2168 square feet.

Exercise Space: ~3710 square foot natural grass and wooded yard enclosed with 4' chain link fence.

West fence has plastic slats installed as requested.

Sanitation: Indoors: adequate ventilation with modern climate control. No signs of litter accumulation nor urine spots outdoors. Food and water containers were clean.

Complaints since last inspection: None

RECOMMENDATION: Approve special 3 dog license.

Mario R. Lee, CSO #1026

Animal Control Officer



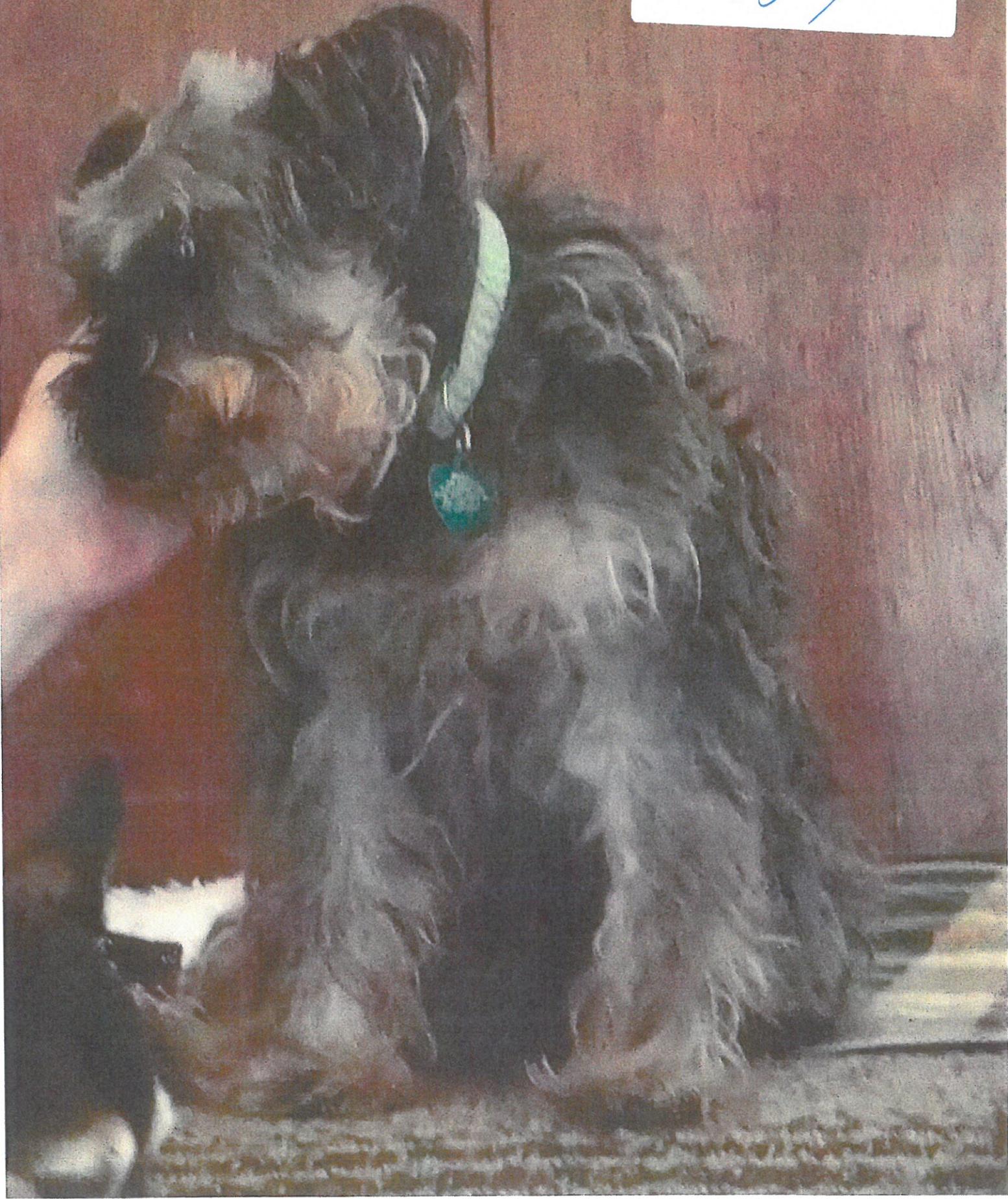


LILLY

JASMINE
BUMPER



MISSY ✓





RECEIVED
JUL 11 2017
PAID \$
TOWN OF WHITE BEAR

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

HOBBY KENNEL LICENSE

The Town Board may grant, deny or refuse to review any application for license under Ordinance No. 5 Section 5.2, and may impose conditions to the granting of the license.

APPLICANT'S INFORMATION

Applicant's Name(s): Amy Chester
Owner's Name(s): Amy Chester
Property Address: 1551 Garden Lane
Home Phone: 651-414-0634 Cell Phone: 952-393-7613
Work Phone: _____ Cell Phone: _____

DOG'S INFORMATION

Breed of Dog: Minpin mix Dog's Name: Jasmine Age: 10 years
Breed of Dog: Chihuahua mix Dog's Name: Lily Age: 10 years
Breed of Dog: Chihuahua mix Dog's Name: Bumper Age: 7 years

PROPERTY INFORMATION

Description of Property (i.e. house with fenced yard): house with fenced yard
Description of Outside Kennel Area (if any): NA

DATA PRACTICES ADVISORY (TENNESSEN WARNING)

I understand that some of the information provided on this form will be public data. Public data is available to anyone who makes a request for such information. Under the Minnesota Data Practices Act, your address, email and/or telephone number are private data. You may choose not to provide some or all of this private data, but it may cause your dog license request to be denied. By completing this information, you are consenting to allow White Bear Township staff to share this information in order to administer White Bear Township Ordinances regarding dog licenses. Please sign below to affirm that you have read this notice.

Signature Amy Chester Date 7/11/17

FOR OFFICE USE ONLY

Date Received _____ By _____ \$100 Fee Yes No Date Completed _____



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The Town Board may grant, deny or refuse to review any application for license under Ordinance No. 5 Section 5.2, and may impose conditions to the granting of the license.

APPLICANT'S INFORMATION

Applicant's Name(s): Amy Chester
Owner's Name(s): William Claph
Property Address: 1651 Garden Lane
Home Phone: 651-414-0534 Cell Phone: 612-747-2041
Work Phone: _____ Cell Phone: _____

DOG'S INFORMATION

Breed of Dog: MIX? Dog's Name: MISSY Age: Greater than 10?
Breed of Dog: American Eskimo Dog's Name: SUZIE Age: 8 1/2 years
Breed of Dog: _____ Dog's Name: _____ Age: _____

PROPERTY INFORMATION

Description of Property (i.e. house with fenced yard): House with fenced yard

These are my fathers dogs that he can no longer keep.
Description of Outside Kennel Area (if any):
Because he went to assisted living.

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Signature [Handwritten Signature] Date 7-11-17

FOR OFFICE USE ONLY

Date Received _____ By _____ \$100 Fee Yes No Date Completed _____



**Town Board Meeting
December 4, 2017**

Agenda Number: **7A – New Business**

Subject: **Ordinance No. 33 (Sign) Amendments - Consider
Request by Wilson Tool, 4900 Constellation Drive**

Documentation: Wilson Tool Correspondence w/attachments

Action / Motion for Consideration:

Receive Information / Discuss

November 29, 2017

White Bear Township
Attn: Tom Riedesel
1281 Hammond Road
White Bear Township, MN 55110

Dear Tom,

Thanks for taking the time to meet with myself and Steve yesterday.

As we mentioned, we are interested in relocating the headquarters for our aspectLED subsidiary from our Dunlap Street location in Arden Hills to 4900 Constellation Drive in White Bear Township.

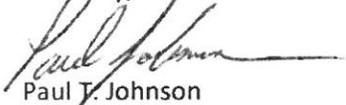
aspectLED is fast-growing and profitable manufacturer of LED light fixtures, LED signage/displays and LED components that was acquired by Wilson Tool in July of this year. Prior to the acquisition of the business, the company was already bursting at the seams of its current facility. As part of Wilson Tool's acquisition of the business, we have committed to invest a significant amount of growth capital into the aspectLED business and have aggressive hiring plans over the next several years.

As a manufacturer of digital LED signage, one of the primary things aspectLED has been looking for is a freeway frontage location that would allow us to install and show-off one of our digital signs as well as to utilize the sign for recruiting talent, and promoting our other products.

I've attached a cut-sheet for the specific sign that we're requesting permission for.

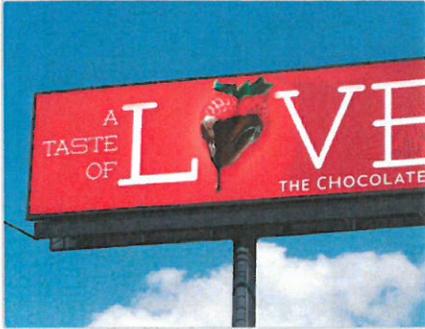
We're looking forward to the opportunity to become members of the White Bear Township community and will look forward to hearing from you on next steps. We liked your suggestion of a focused ordinance amendment and we're hoping to move forward very quickly. If you have any questions, please reach out to me directly anytime.

Sincerely,



Paul T. Johnson
President – Corporate Development
Wilson Tool Enterprises
www.wilsontool.com
Direct: (651) 286-5800
E-mail: paul.t.johnson@wilsontool.com

PTJ/mwf



Small Outdoor Digital LED Signage

MODEL: AL-DS-2512

DESCRIPTION

aspectLED is a leading LED product designer, manufacturer, and retailer specializing in custom OEM solutions for the commercial market. aspectLED's custom product clients include leading brands like Walmart, Apple, Starbucks, Circle K, and Marriott.

LED digital signage message centers are attention grabbing, flexible, low maintenance, and easy to keep up to the date with content. Work from an easy to use dashboard to customize messaging, colors, images, and logos. Use prebuilt out-of-the-box modules for weather, time, and other common elements.

PHYSICAL DIMENSIONS + SPECIFICATIONS

Sign Dimensions	25' wide, 12'tall
Input Voltage	120VAC, 208VAC or 480VAC
Mounting Method	Pylon, built to order
LED Type	High Power RGB LEDs
Housing Color	Black
Average Lifespan	50,000 hours
Warranty	1 Year
Suitable Uses	Indoors or Outdoors, Dry, Damp, or Wet Locations



**Town Board Meeting
December 4, 2017**

Agenda Number: 8 – 9- 10

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

