



# WHITE BEAR TOWNSHIP

1858  
RAMSEY COUNTY  
MINNESOTA

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WHITE BEAR TOWNSHIP, MN 55110

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

## AGENDA TOWN BOARD MEETING JANUARY 3, 2018

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 Town Board Minutes of December 18, 2017.
5. **Consent Agenda:**
  - A. **Northeast Youth & Family Services** – Approve 2018 Agreement.
  - B. **Ordinance No. 33 (Sign) Amendments** – Refer to Town Attorney for Review.
  - C. **Cost Recovery for Recurring Code Violations at Same Address** – Authorize Town Attorney to Research.
  - D. **Town Board Email Addresses** – Authorize the Finance Officer to Contact Roseville IT to Establish Email Addresses for the Town Board Members.
  - E. **Planning Commission Appointments** – Appoint Steve Swisher to Fill an Unexpired Term Through April 30, 2018 & Monica Loes to Fill an Unexpired Term Through April 30, 2019.
  - F. **Park Board Appointments** – Appoint Jason DeMoe to Fill an Unexpired Term Through April 30, 2018 & Appoint Erik Josephson to Fill a Vacant Term Through April 30, 2020.
  - G. **Utility Commission** – Appoint George Fredericks to Fill a Vacant Term Through April 30, 2020.
  - H. **Public Safety Commission** – Appoint Mark Griffin to the Alternate Position on the Commission.
6. **Old Business:**
  - A. **7:10 p.m. Public Hearing – Special Three Dog License Request @ 1651 Garden Lane** – Renewal.



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B. **Board of Appeals & Adjustments** – Outline Procedure.

7. **New Business:**

**Town Engineer Item:**

A. **Comprehensive Plan** – Authorize TKDA to Supply Necessary Data to the Township to Complete the Comprehensive Plan Update.

**Public Works Director Item:**

B. **Well #5 Roof Edge Parapet Cap & Gutter Replacement** – Approve Quote.

8. **Added Agenda Items.**

9. **Open Time.**

10. **Receipt of Agenda Materials & Supplements.**

11. **Adjournment.**



## Town Board Meeting January 3, 2018

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

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

Approval of January 3, 2018 Agenda

Approval of Payment of Bills

Approval of Minutes of Town Board Meeting of December 18, 2017.

**Documentation:** January 3, 2018 Agenda  
Minutes of Town Board Meeting of December 18, 2017.

### **Action / Motion for Consideration:**

Call meeting to order:	7:00 p.m.
Approval of Agenda:	January 3, 2017 (additions/deletions)
Approval of Payment of Bills	
Approval of Minutes:	Minutes of Town Board Meeting of December 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; Finance Officer: Kelly; Public Works Director: Reed; Planner: Riedesel; Engineer: Studenski.

**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 DECEMBER 4, 2017:** Ruzek moved approval of the Minutes of December 4, 2017. Prudhon seconded. Ayes all.

**CONSENT AGENDA:** Ruzek moved approval of the Consent Agenda as follows: 5A) Approve 2018 Auditor Services Contract; 5B) Approve Freezing Utility Connection Charge for 2018; 5C) Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve Xcel Energy Permit to Install a New Gas Service for the Business Buildings at 2310 Leibel Street Including Directional Boring; 5D) Receive Construction Activity Report. Prudhon seconded. Ayes all.

**OLD BUSINESS:** There were no Old Business Items.

**RAMSEY COUNTY SHERIFF SERIER PRESENTATION:** Ramsey County Sheriff, Jack Serier, reported that each year he tries to visit all 17 municipalities to provide an update of things going on in the Sheriff's Office that might otherwise not be known. He stated that the Sheriff's Office is the Town's police department and that there has been a longstanding good relationship. He reported his staff takes great pride in being the Township's deputies. He reported that approximately 100 people have been hired this year due to retirements and additional staffing at the detention facility. Earlier this year he went before the Ramsey County Board with a staffing study which looked at staffing at the detention facility. The County Board allowed the hiring of 35 additional people for staffing at the detention facility. This has been a record year for commanders and sergeants being promoted, along with new deputies and community service officers. He stated that the study provided attention to diversity in race and gender. He stated that in every academy class they held this year the race and gender diversity were 50-60% in each of the classes. They are fully staffed as of December 1, 2017. In the detention center they have a records management system that ties in with crime statistics. They are now looking at and updating the 17 year old jail management system. There are 500 people in the detention center at any one time. There are dietary needs, court dates, release dates etc. to manage. It is intensive for the staff so when the new system comes on line in mid to late 2018 it will increase efficiency. Starting at midnight on January 1, 2018 the Sheriff's Office will become the police department for the City of Falcon Heights, MN. He thanked the contract cities group for their assistance in thinking through the transition. The deputies who will be patrolling in Falcon Heights. Two weeks ago there were two open houses at Falcon Heights where he presented a power point showing how Falcon Heights will fit into the contract group.

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There were over 70 people at each meeting and it was great for the citizens and the Sheriff Office staff who participated in the open houses. He stated that the activities, such as Night to Unite and the bike rodeo are successful and he thanked those who make it successful. He stated that one of the most important things that they do is when they hear "I need your help" and they go out and do something to take care of it and handle a bad moment in their lives. This provides them an opportunity to interface one-on-one with citizens. He thanked everyone who went to the Fright Farm. He stated that they had a phenomenal year. They have 85 volunteers who attend each night on the four weekends and on Halloween. He stated their biggest night had 1400 people come through the Fright Farm. All the proceeds from the event goes into the Sheriff Foundation and is used for youth activity, such as DARE, school patrol and many other causes. Since 1960, outside the city of St. Paul, the Ramsey County Sheriff's Foundation has supported school patrol across Ramsey County by providing all the flags, the adults and the training. A Thank You Fun Day is held at the Aldrich Arena each year in appreciation. Sheriff Serier stated that they enjoy their involvement at Township Day. He reported that the Hot Dog with a Deputy program is very popular. The Sheriff's Foundation bought a Salvation Army food trailer that was being used for these events. They bring in air boats and other equipment for people to see. The participation by the public has been very successful and beyond expectation. Kermes reported that one of the Ramsey County Deputies presented a session on active shooters at the Town offices last week and he thanked Sheriff Serier for the Sheriff's Office participation. Sheriff Serier stated that the Sheriff's Office has an active group who participate in presenting this program to other city councils, church groups, and civic groups. Kermes asked how many of the 100 positions filled this year were new hires as opposed to promotions. Sheriff Serier reported that there are 35 new positions in the detention center, a few are supervisory positions, and the others were entry level staff. The detention facility was organized differently in 2009/2010, with guidance from the Department of Corrections which showed that it takes more staff to run the facility due to population levels. In response to a question if, with the addition of Falcon Heights as a contract city, it would require additional staff, Sheriff Serier stated that it does. The City of Falcon Heights is paying for six additional deputies for staffing 24/7. In response to a question if other open houses have been planned. Sheriff Serier stated that there is a Scouting Day open house in February as well as another Citizens Academy. Kermes invited Sheriff Serier to the Town's Annual Meeting in March and the 2018 Township Day. Sheriff Serier thanked the Town Board and Township residents for their participation and support of the Sheriff's Office.

**HAMMOND ROAD CUL-DE-SAC & WHITE BEAR PARKWAY STORM SEWER – APPROVE PAYMENT #2 (FINAL) TO JEANETTA & SONS EXCAVATING:** The Engineer reported that the Hammond Road and White Bear Parkway storm sewer improvements were awarded to Jeanetta & Sons Excavating in the amount of \$41,050.00. All the work was performed and approved by the completion date of November 10, 2017. The final total costs are \$40,920.00 which is below the bid amount and is within the budget of \$50,000.00. The contractor has been paid \$16,850.00 to date which leaves a remaining amount of \$24,070.00. The projects were funded by the Storm Water Utility Fund.

Prudhon moved, based on Town Engineer review & recommendation to approve the final payment #2 to Jeanetta and Sons in the amount of \$24,070.00 with payment from the Storm Water Utility Fund. Ruzek seconded. Ayes all.

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**BARRY LANE POND – APPROVE FINAL PAYMENT #2:** The Town Engineer reported that the Barry Lane sediment pond restoration project was awarded to Bell's Trucking, Inc. in the amount of \$49,203.73. The Township is receiving a \$31,300.00 cost-share grant from Rice Creek Watershed District for this project. The grant has a completion date of December 2018. All the work has been performed and approved. The project did require additional pond excavation and ditch excavation in an amount of \$3,677.25 for a total cost of \$52,880.98. The additional quantity work will be paid at the original bid rates. The final construction cost of \$52,880.98 is still below the engineer's estimate of \$59,515.00 and within the total project budget of \$73,700.00. The contractor has been paid \$48,995.98 to date leaving a remaining amount of \$3,925.00. The project funding is through the Storm Water Utility Fund. Rice Creek Watershed District has approved the project and will perform some follow up in the spring.

Prudhon moved, based on Town Engineer review and recommendation to approve payment #2 to Bell's Trucking, Inc. in the amount of \$3,925.00 with funding from the Storm Water Utility Fund, noting a final construction cost of the project of \$52,880.98. Ruzek seconded. Ayes all.

**IMPROVEMENT 2016-3 – NE WATER TOWER REPAINTING – APPROVE TMI COATINGS, INC. FINAL PAYMENT:** The Town Engineer reported that the Town Board awarded the Northeast water storage tower 2017 reconditioning to TMI Coatings, Inc. for the amount of \$920,000. The contract was increased by \$16,000 to replace the deteriorated fabric condensate ceiling bringing the total to \$936,900. The project has been completed and approved. All necessary documentations have been received. TMI Coatings, Inc. did not meet an interim deadline for completing the painting on time. This resulted in a \$3,000 reduction in their payment which they have agreed to in the final payment. This brought the final contract amount to \$928,800. This is within the Engineer's estimate of \$1,187,300 and construction budget for the report. In response to a question regarding the life of the repainting, the Town Engineer stated that life expectancy is 20 years.

Ruzek moved, based on Town Engineer review & recommendation to approve TMI Coatings, Inc. final pay estimate #6 which includes compensating change order in an amount of \$43,590.00 with funding from the Water Fund. Prudhon seconded. Ayes all.

**RESOLUTION ADOPTING THE AMOUNT TO BE RAISED BY PROPERTY TAXATION FOR THE YEAR 2018 – APPROVE:** The Finance Officer reported that the Town Board and staff have had various budget workshops and the budget and proposed tax levy were presented to residents on December 12, 2017 at the Annual Special Town Budget Meeting. At that meeting residents approved a 2018 property tax levy of \$3,226,691.00. This levy will support the Town's 2018 operating budget. The levy is a 7.56% increase from the 2017 property tax levy and would give the Town the third lowest tax rate of all the municipalities in Ramsey County at 21.568%. The Town Board is requested to adopt the resolution adopting the 2018 property tax levy in the amount of \$3,226,691.00.

Prudhon moved, based on the vote of those who attended the December 12, 2017, Special Town Budget Meeting to adopt the Resolution Adopting the Amount to be Raised by Property Taxes for the year 2018 in the amount of \$3,226,691.00. Ruzek seconded. Ayes all.

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**2018-2027 CAPITAL IMPROVEMENT PLAN – APPROVE:** The Finance Officer reported as part of the 2018 budget process staff developed and revised the Town’s five year CIP to a ten-year CIP and presented it to the Town Board at a previous Town Board Executive Meeting. Some of the advantages of the CIP is that it helps ensure financial stability by planning long-range, costly expenditures by ensuring projects fit the Town’s budget and not stack projects into one or two years. Projects and purchases listed in the CIP for 2018 were included in the Town’s 2018 budget. Projects and expenditures in the years 2018 through 2027 are estimates by staff as to when they will be needed and can be adjusted in future CIPs. Projects and expenditures included in the 2018 budget and CIP still must go through the Town’s purchasing policy before contracts are awarded for work or purchases ordered. Projects/expenditures listed in the CIP for 2018 are for an amount of \$2,711,950.

Ruzek moved, based on Finance Officer’s review and recommendation to adopt the 2018-2027 Capital Improvement Plan for the Township. Prudhon seconded. Ayes all.

**RESOLUTION APPROVING TRANSFER OF CERTAIN FUNDS FOR THE TOWN OF WHITE BEAR – APPROVE:**

The Finance Officer reported that each year the Town transfers money from one fund to another for various reasons. In order to complete these transfers the Town must pass a resolution authorizing these transfers. Some of the transfers were part of the budget, such as the transfers for the funding of debt payments. Others are not planned but are needed to offset current or future expenditures and some are to meet fund balance policies. He reviewed the proposed 2017 transfers as follows: 1) Transfer from the EDA Fund of \$20,000 to the General Fund to help cover the costs of the Annual Township Day Festival. This was anticipated and will be paid from the Loan Pay Back Account of the EDA Fund, which was included in the 2017 budget; 2) Transfers #2 and #3 are the budget transfers for the TIF Districts share of the 2017 bond payments; 3) Transfer #4 of \$178,700 from the 2005B TIF Bonds to the Improvement Fund is to close the 2005B TIF Bond Fund since the bonds were paid off in February; 4) Transfer #5 is the budgeted transfer of the General Fund’s Road & Bridge Department’s share of the 2017 seal coat project costs; 5) The remaining transfers (transfer 6) \$90,000 is to reduce the General Fund’s balance down to 50% of 2018 expenditures per the Town’s fund balance policy; a) the \$40,000 to the Community Park Fund will be used to help pay for future park improvements; b) \$50,000 to the Park Improvement Fund will be used to fund future park improvements. This is a new fund which will be used to fund improvements to existing parks and funded through improvement fee charged to the General Fund – Park Maintenance Department, which should level out the amount needed to levy for park improvements.

2017 Operating Transfers include:

	<u>Transfer In</u>		<u>Transfer out</u>
101 Township Day	\$ 20,000	405 EDA – General	\$ 20,000
386 2011C TIF Bonds	\$ 73,150	405 EDA – Comtal District	\$ 73,150
387 2005B TIF Bonds	\$536,599	405 EDA – Birch Lake Villas	\$536,599
505 Improvement Fund	\$178,700	387 2005B TIF Bonds	\$178,700
505 Improvement Fund	\$ 71,000	101 Gen. Fund-Rd and Bridge	\$ 71,000
517 Park Impr. Fund	\$ 50,000	101 Gen. Fund-Park Maint.	\$ 71,000

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504 Com.Park Impr.	\$969,449	\$969,449
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Prudhon moved, based on Finance Officer’s review and recommendation to adopt the Resolution Approving Transfer of Certain Funds for the Town of White Bear. Ruzek seconded. Ayes all.

**FUND BALANCE CLASSIFICATIONS:** The Finance Officer reported that the Township’s governmental fund balance classifications are in compliance with Governmental Accounting Standards Board Statement 54: Fund Balance Reporting and Governmental Fund Type Definitions as of December 31, 2017. He reviewed the classifications as follows: 1) Non-spendable – resources that are “permanently precluded from conversion to cash”. Such items include prepaid items; inventory, land held for resale; and long-term receivables that are not otherwise restricted, committed, assigned, or offset by deferred revenue; 2) Restricted – resources are “constrained to a specific purpose by enabling legislation, external parties, or constitutional provisions”. Examples include fund balance related to unspent bond proceeds, tax increments, Debt Service Fund balances, and park dedication fees; 3) Committed – resources that are constrained by Board action/resolution for a specific purpose. Fund balance commitments must be completed before December 31<sup>st</sup> to be effective for that fiscal year and remain in effect until the commitment is changed or eliminated by Board action/resolution. Transfers of committed funds for other uses are authorized if approved with the annual budget process or other Board action/resolution; 4) Assigned – resources that are “intended for a specific purpose by management”. This would include any remaining positive fund balance in all funds other than the General Fund. The Board delegates the authority to assign fund balance to the Finance Officer; 5) Unassigned – remaining resources that are available for any purpose. Unassigned fund balance will occur only in the General Fund or in other funds where there is a negative fund balance that cannot be eliminated by reducing restricted, committed, or assigned fund balance.

Amounts that are known today are as follows, but may be subject to change with year-end audit:

General Fund:	
Public Safety (Assigned)	\$ 1,609.72
Compensation Study	\$ 5,000.00
Park Acquisition Fund	
Rutherford Park Development (Restricted)	\$ 6,385.36
EDA Fund:	
Land Held for Resale (Non-Spendable)	\$ 223,475.86
Community Park Improvement:	
Town Hall Improvements	\$ 3,291.48
Storm Water Utility Fund	
Stillwater Street Drainage (Assigned)	\$ 250,000.00

Ruzek moved, based on Finance Officer’s review and recommendation to approve the Fund Balance Classifications as outlined in the Finance Officer’s memo included in the meeting packet. Prudhon seconded. Ayes all.

**FUEL MANAGEMENT SYSTEM – APPROVE PURCHASE:** The Public Works Director reported that Public Works recommend the purchase of a Fuel Management System to provide accountability for both gas and diesel fuels used daily in the operations of the Public Works Department. The new system will track who fuels the equipment and identify the equipment number, current hours and/or mileage. This information will be programmed to be exported to the Towns' Fleet Maintenance Software. The exported information will be linked to the equipment's number to provide the Town's Mechanic with a notice of scheduled maintenance based upon data entered by the Mechanic for each type of equipment. Staff has received two proposals for the fuel management system as follows: 1) Pump and Meter Service, Inc. for \$13,904.04; and 2) Zahl-Petroleum Maintenance Company for \$14,059.00. Funding will be provided from the Capital Building Fund. In response to a question regarding the charge, the Public Works Director stated that there is a one-time charge and no maintenance fee.

Prudhon moved, based on Town Public Works Director's review and recommendation to approve the proposal for purchase of a Fuel Management System from Pump and Meter Service, Inc. in the amount of \$13,904.04, with funding from the Capital Building Fund. Ruzek seconded. Ayes all.

**SMALL CELL WIRELESS: 1) ADOPT AMENDMENTS TO ORDINANCE NO. 68; 2) ADOPT RESOLUTION AUTHORIZING PUBLICATION OF THE TITLE & SUMMARY OF THE AMENDMENTS TO ORDINANCE NO. 68:** The Town Attorney reported that the purpose of the Ordinance amendment is to adopt specifications and regulations dealing with small cell wireless facilities attached to public utility poles. It also governs the same type of equipment attached to private utility poles owned by Xcel Energy. It covers both, but mostly poles owned by the Township. Maximum allowable utility sizes are 28 cubic feet in area, 7' x 2' x 2'. New poles cannot be higher than 50 feet. With existing poles the height stays the same height. The ordinance amendment also deals with where poles can be located in the right-of-way. He noted that the amendment is mandated by State Statute and the amendment is required to be adopted by January 1, 2018. The ordinance amendment is similar to other communities. It was noted that the Town Board has been reviewing small cell wireless facilities for the past several months.

Prudhon moved, based on Town Attorney review and recommendation to adopt the amendment to Ordinance No. 68 and authorize execution by the Town Board and Town Clerk. Ruzek seconded. Ayes all.

Prudhon moved to adopt the Resolution Authorizing Publication of the Title & Summary of the Amendments to Ordinance No. 68. Ruzek seconded. Ayes all.

Prudhon moved to approve the synopsis. Ruzek seconded. Ayes all.

**4141 OAKMEDE LANE – NATHAN HAASE CONCERNS:** Nathan Haase, 4133 Oakmede Lane asked the Town Board to set a date for a Board of Appeals and Adjustments hearing concerning a garage at the neighboring property at 4141 Oakmede Lane. He stated that it is his intention to demonstrate to the Town Board that the definitions or lot area standard used by the Township do not meet the shoreline management act requirement. He will be asking the

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Town Board for enforcement action regarding the garage. He stated that he understands that there are fees associated with the process and asked the Town Board if the fee can be waived. Kermes asked the Town Attorney if since the Town Board is not prepared at this time with the data necessary to set up a Board of Appeals and Adjustments hearing if the request should be received at this time. The Clerk stated that the Town needs to research the matter since it was only brought to the Town Board tonight. Since the Town Board was not prepared to receive the request the Board can receive Mr. Haase's verbal request tonight. The matter will be researched and information brought back to the Town Board with a report. Generally the Board of Appeals and Adjustments is scheduled based on action taken by the Town Board. He stated that staff will work with Nathan Haase and the Town Attorney to review the matter. The Clerk stated that information will be provided at the January 3, 2018 Town Board meeting. Nathan Haase stated that it may be beneficial for the Board of Appeals and Adjustments to meet in the spring time at which time the wetland boundary begins.

**LIQUOR LICENSE RENEWALS:** The Clerk reported that there are six businesses in the Township who have submitted completed Liquor License Renewal Information along with the 2018 license fee in the amount of \$3,000. The renewal information for each of the six businesses is complete with the exception of background information. "Food to Liquor Sale Ratio" information was provided where applicable, and certificates of insurance for each of the businesses have been provided. In accordance with Ordinance No. 32 (Liquor), background check information from the Ramsey County Sheriff's Office has not been received, but it is the same person as in previous years which have been clear. It was the consensus to approve the renewal of the liquor licenses contingent upon receiving background check information from the Ramsey County Sheriff's Office.

**APPLEBEE'S – APPROVE RENEWAL OF THE 2018 ON-SALE & SUNDAY LIQUOR LICENSE OF APPLEBEE'S GRILL & BAR, 1018 MEADOWLANDS DRIVE:** Ruzek moved, based on Staff review and recommendation, to approve the renewal of the 2018 On-Sale & Sunday Liquor License for Apple Minnesota, LLC (Applebee's Neighborhood Grill & Bar), 1018 Meadowlands Drive, White Bear Township, Minnesota 55127, for the period of January 1, 2018, through December 31, 2018, contingent upon receipt of background check information from the Ramsey County Sheriff's Office. Prudhon seconded. Ayes all.

Ruzek moved to authorize signature of the license by the Town Clerk. Prudhon seconded. Ayes all.

Ruzek moved to authorize Staff to forward the liquor license renewal information to the State Alcohol & Gambling Enforcement Division for filing. Prudhon seconded. Ayes all.

**ZEN ASIA – APPROVE RENEWAL OF THE 2018 ON-SALE & SUNDAY LIQUOR LICENSE FOR ZEN ASIA, 1011 MEADOWLANDS DRIVE, SUITE 8:** Ruzek moved, based on Staff review & recommendation to approve the renewal of the 2018 On-Sale & Sunday Liquor License for Zen Asia, 1011 Meadowlands Drive, Suite 8, White Bear Township, Minnesota 55127, for the period of January 1, 2018 through December 31, 2018, contingent upon receipt of background check information from the Ramsey County Sheriff's Office. Prudhon seconded. Ayes all.

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Ruzek moved to authorize signature of the license by the Town Clerk. Prudhon seconded. Ayes all.

Ruzek moved to authorize Staff to forward the liquor license renewal information to the State Alcohol & Gambling Enforcement Division for filing. Prudhon seconded. Ayes all.

**CUB FOODS – APPROVE RENEWAL OF THE 2018 OFF-SALE & 3.2% LIQUOR LICENSE FOR KOWALSKI COMPANIES, INC., D/B/A/ CUB FOODS OF WHITE BEAR, 1059 MEADOWLANDS DRIVE:**

Ruzek moved, based on Staff review & recommendation to approve the renewal of the 2018 Off-Sale Liquor License & 2018 3.2% Liquor License for Kowalski Companies, Inc. d/b/a/ Cub Foods, 1059 Meadowlands Drive, White Bear Township, Minnesota 55127 for the period of January 1, 2018 through December 31, 2018, contingent upon receipt of background check information from the Ramsey County Sheriff's Office. Prudhon seconded. Ayes all.

Ruzek moved to authorize signature of the license by the Town Clerk. Prudhon seconded. Ayes all.

Ruzek moved to authorize Staff to forward the liquor license renewal information to the State Alcohol & Gambling Enforcement Division for filing. Prudhon seconded. Ayes all.

**BALD EAGLE LIQUOR – APPROVE RENEWAL OF THE 2018 OFF-SALE LIQUOR LICENSE FOR BALD EAGLE LIQUOR, 5960 HIGHWAY 61:**

Prudhon moved, based on Staff review and recommendation to approve the renewal of the 2018 Off-Sale Liquor License for Bald Eagle Investments, LLC d/b/a/ Bald Eagle Liquor, 5960 Highway 61, White Bear Township, Minnesota 55110 for the period of January 1, 2018 through December 31, 2018, contingent upon receipt of background check information from the Ramsey County Sheriff's Office. Ruzek seconded. Ayes all.

Prudhon moved to authorize signature of the license by the Town Clerk. Ruzek seconded. Ayes all.

Prudhon moved to authorize Staff to forward the liquor license renewal information to the State Alcohol & Gambling Enforcement Division for filing. Ruzek seconded. Ayes all.

**ORCHID RESTAURANT & BAR – APPROVE RENEWAL OF THE 2018 ON-SALE & SUNDAY LIQUOR LICENSE FOR ORCHID RESTAURANT & BAR, 1190 COUNTY ROAD J, SUITE 100:**

Ruzek moved, based on Staff review and recommendation to approve the renewal of the 2018 On-Sale & Sunday Liquor License for Orchid Restaurant & Bar, 1190 County Road J, Suite 100, White Bear Township, Minnesota 55127, for the period of January 1, 2018 through December 31, 2018, contingent upon receipt of background check information from the Ramsey County Sheriff's Office. Prudhon seconded. Ayes all.

Ruzek moved to authorize signature of the license by the Town Clerk. Prudhon seconded. Ayes all.

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Ruzek moved to authorize Staff to forward the liquor license renewal information to the State Alcohol & Gambling Enforcement Division for filing. Prudhon seconded. Ayes all.

**LUCY'S BURGERS LLC – APPROVE PARTIAL 2017 & ALL OF 2018 ON-SALE & SUNDAY LIQUOR LICENSE FOR LUCY'S BURGERS LLC, 1190 COUNTY ROAD J, SUITE 600:**

Ruzek moved to approve a one day temporary On-Sale & Sunday Liquor License for Lucy's Burgers LLC, 1190 County Road J, Suite 600 for December 31, 2017, contingent upon receipt of background check information from the Ramsey County Sheriff's Office. Prudhon seconded. Ayes all.

Ruzek moved to approve 2018 On-Sale & Sunday Liquor License for Lucy's Burgers LLC, 1190 County Road J, Suite 600, White Bear Township, 55127, for the period of January 1, 2018 through December 31, 2018, contingent upon receipt of background check information from the Ramsey County Sheriff's Office. Prudhon seconded. Ayes all.

Ruzek moved to authorize signature of the licenses by the Town Clerk. Prudhon seconded. Ayes all.

Ruzek moved to authorize Staff to forward all documents to the State Alcohol & Gambling Enforcement Division for filing. Prudhon seconded. Ayes all.

**TOBACCO LICENSE RENEWAL:** The Clerk reported that there are four businesses in the Township who have tobacco licenses. There have been no violations reported this year. The four businesses have completed the necessary application. Background checks have not been received yet from the Ramsey County Sheriff's Office however all applicants are the same as in previous years and were clear.

**WHITE BEAR TOWNSHIP HOLIDAY – APPROVE 2018 TOBACCO LICENSE FOR WHITE BEAR TOWNSHIP HOLIDAY, 1150 COUNTY ROAD J:**

Prudhon moved, based on Staff review and recommendation to approve the renewal of the 2018 Tobacco License for White Bear Township Holiday, 1150 County Road J, for the period of January 1, 2018 through December 31, 2018, contingent upon receipt of background check information from the Ramsey County Sheriff's Office. Ruzek seconded. Ayes all.

**CUB FOODS – APPROVE 2018 TOBACCO LICENSE FOR CUB FOODS, 1059 MEADOWLANDS DRIVE:**

Prudhon moved, based on Staff review and recommendation to approve the renewal of 2018 Tobacco License for Cub Foods, 1059 Meadowlands Drive, for the period of January 1, 2018 through December 31, 2018, contingent upon receipt of background check information from the Ramsey County Sheriff's Office. Ruzek seconded. Ayes all.

**HOLIDAY STATIONSTORES, INC. – APPROVE 2018 TOBACCO LICENSE FOR HOLIDAY STATIONSTORES, 5970 HIGHWAY 61:**

Ruzek moved, based on Staff review and recommendation to approve the renewal of the 2018 Tobacco License for Holiday Stationstores, Inc., 5970 Highway 61 for the period of January 1, 2018 through December 31,

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2018, contingent upon receive background check information from the Ramsey County Sheriff's Office. Prudhon seconded. Ayes all.

**BALD EAGLE INVESTMENTS - APPROVE 2018 TOBACCO LICENSE FOR BALD EAGLE INVESTMENTS, 5970 HIGHWAY 61:** Prudhon moved, based on Staff review and recommendation to approve the renewal of the 2018 Tobacco License for Bald Eagle Investments, 5960 Highway 61 for the period of January 1, 2018 through December 31, 2018, contingent upon receipt of background check information from the Ramsey County Sheriff's Office. Ruzek seconded. Ayes all.

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

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

Ruzek moved to adjourn the meeting at 8:21 p.m. Prudhon seconded. Ayes all.

Respectfully Submitted,

William F. Short  
Clerk-Treasurer

Approved as Official Meeting Minutes

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

\_\_\_\_\_  
Date



**Town Board Meeting  
January 3, 2018**

**Agenda Number: 5A – Consent**

**Subject: Northeast Youth & Family Services – Approve 2018 Agreement**

**Documentation:** Finance Officer Memo /  
NYFS Correspondence & Agreement /  
Town Attorney Email /  
Staff Memo /  
Quarterly Reports

**Action / Motion for Consideration:**

Receive Information / Discuss

- 1) Based on Finance Officer Review & Recommendation Approve the Agreement with Northeast Youth & Family Services for the Year 2018 Subject to the Inclusion of the Changes Recommended by the Township Attorney
- 2) Authorize Execution by the Town Chair & Town Clerk & Authorize the Funding Request of \$19,956.00

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**Minutes**  
**Town Board Meeting**  
**January 4, 2017**

**CONSENT AGENDA:** Ruzek moved approval of the Consent Agenda as follows: 5C) Approve Northeast Youth & Family Services 2017 Agreement; Prudhon seconded. Ayes all.

**Consideration of Approving 2018 Contribution to NYFS.** (TK)

**A. REFERENCE AND BACKGROUND:**

The Town has received a request from Northeast Youth & Family Services (NYFS) for 2018 funding. NYFS has combined operations with the White Bear Counseling Center. The funding request is for \$19,956. The Township included funding of \$20,000 in its 2018 budget for NYFS. In the past the Township has provided funding as follows:

2009	\$54,851	
2010	\$54,357	
2011	\$40,000	
2012	\$40,000	
2013	\$35,936	
2014	\$31,872	
2015	\$27,808	
2016	\$23,744	
2017	\$19,680	
2018	\$19,956	1.4% increase

**A1. Budget Impact:** The funding request is \$3,788 less than the 2016 amount and is included in the 2018 General Fund’s General Government Department’s budget.

**A2. Staff Workload Impact:** There is no staff impact for approving the request.

**B. ALTERNATIVE ACTIONS:**

1. Approve the 2018 funding request with NYFS.
2. Approve the 2018 funding of NYFS at some other amount than what was request by NYFS.
3. Do not approve the 2018 funding request with NYFS.

**C. STAFF RECOMMENDATION:**

1. Staff recommends alternative #1 for the approval of the 2018 funding request of \$19,956 for NYFS with funding from the General Government Budget of the General Fund.

**D. SUPPORTING DATA:**

Letter from Jerry Hromatka, President & CEO of NYFS.



Northeast Youth & Family Services  
Transforming Lives  
Celebrating 40 Years

RECEIVED

DEC 26 2017

TOWN OF WHITE BEAR

December 22, 2017

Bill Short  
City Clerk/Treasurer  
White Bear Township  
1281 Hammond Road  
White Bear Township, MN 55110

Dear Bill,

Enclosed is the 2018 partnership agreement with Northeast Youth & Family Services. I have also included the addendum referenced in section III-B Services Provided and Exhibit A referenced in section III-D-2 Funding.

Please sign and return a fully executed copy of the agreement to me. You can either send a hard copy through the mail or a pdf electronically. Either way we need a copy in our files for our audit.

We appreciate our partnership with you and look forward to another year of working in concert to serve the residents of our community. I will reach out to you in early January about setting up our annual presentation to the council.

If you have any questions or need more information, please don't hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jerry Hromatka', written in a cursive style.

Jerry Hromatka  
President & CEO

# AGREEMENT

## I. PARTIES

This agreement is made and entered into by and between the White Bear Township of Minnesota (“Town”) and Northeast Youth and Family Services (“NYFS”).

## II. RECITALS

- A. NYFS is a non-profit social service agency whose mission is to meet the unmet developmental needs of at-risk youth and families within their community environment with emphasis on providing services through collaboration and coordination with existing community resources. These services are available to youth and families residing in the northern suburbs of Ramsey County, including, but not limited to, the municipalities which are signatory to agreements which are identical to this Agreement (“participating municipalities”) and students and families from Independent School Districts 621, 622, 623, 624, 282 and 832.
- B. Through this Agreement the Town intends to contract with NYFS to provide such services to its residents and to act as a sponsor of NYFS by providing financial support, a method to establish appropriate services to be provided and policy guidance for its activities.
- C. This Agreement shall be used as the formal agreement between NYFS and each of the participating municipalities. This Agreement is intended to continue the spirit of cooperation and collaboration in the provision of social services between the Town and NYFS.

## III. TERMS AND CONDITIONS

In consideration of the mutual understandings of this Agreement, the parties hereby agree as follows:

- A. Prior Agreements Cancelled. By execution of this Agreement any prior agreements and amendments thereto between the parties are hereby cancelled.
- B. Services Provided. NYFS shall provide the Town and its residents with youth and family programs set forth in the Addendum attached hereto.
- C. Principles of Service and Program Establishment and Operations. On a yearly basis and prior to submission of its annual budget, as provided for hereafter, NYFS shall:

1. Report regarding proposed changes in services and programs to the Town; and
2. Establish a fair and open bidding/request for proposal (RFP) process to contract, manage or provide such services and programs, which are not directly provided by NYFS staff.

D. Funding

1. In addition to the participating municipalities' share of the annual budget, funds for the operation of NYFS will be raised by NYFS endeavoring to secure user fees, grants and appropriations from private organizations, the State of Minnesota, Federal and County agencies, and other legal and appropriate sources.
2. The Town shall pay annually to NYFS the base amount listed in Exhibit A. This base amount will be adjusted annually for inflation/deflation using the Standard Metropolitan Statistical Area Consumer Price Index for All Urban Consumers (CPI-U). Such adjustment shall not exceed plus or minus 3% in any year. Any adjustment in the payment beyond those indicated by reference to the CPI-U shall require approval of each of the participating municipalities.
3. Any new municipality joining into this agreement will pay a base amount annually to NYFS that is on par with the amount paid by current participating municipalities.
4. Amounts payable by the Town shall be paid to NYFS on or before January 30<sup>th</sup> of each year, or at a date mutually agreed upon by both parties, to cover the Town's share for that year.

E. Board of Directors. This agreement is contingent upon the Town having the right to a seat on the Board of Directors. The Board of Directors shall be limited to not more than 30 Board members.

F. Further Obligations of NYFS. In addition to the obligations set forth elsewhere in this Agreement, this Agreement is further contingent upon NYFS doing the following:

1. The Bylaws of NYFS shall be amended to add provisions requiring an open process for contracting services as provided for in paragraph C.2., above, and prohibiting NYFS from supporting or opposing individual candidates for election to public office in any of the participating municipalities; and adding the requirement that IRS 501.C3 status be maintained.

2. On or before June 30, of any year NYFS shall submit the proposed Town budgeted amount for the subsequent year.
  3. On or before November 30, of any year NYFS shall submit a written report to the Town including an Annual Report, the audited financial statement, and a program specific summary of services provided to the municipality; in addition, 30 days from the end of each calendar quarter, NYFS shall submit a written report to the participating municipality.
  4. Periodically advising the Town of services available through NYFS to the Town's residents;
  5. Establishing a sliding scale for services available through NYFS to the Town's residents and periodically advising the Town of such fees;
  6. Providing other reasonable information requested by the Town;
  7. Purchasing a policy of liability insurance in the amount of at least \$1,500,000.00, naming the Town as an additional insured and providing a copy of the insurance certificate evidencing such policy to the Town;
  8. Provide the Town with a copy of its Articles of Incorporation, Bylaws, Amendments thereto, and the IRS tax exempt status letter;
  9. NYFS shall defend and indemnify the Town from any and all claims or causes of actions brought against the Town of any matter arising out of this Agreement or the services provided pursuant to this Agreement; and,
  10. Without the written approval of the Town, NYFS will not enter into any agreement with any other municipality which differs from the terms and conditions of this Agreement.
- G. Term. The term of this agreement will be through December 31, 2018. Unless either party gives at least 6 months written notice of its intent to cancel this Agreement effective December 31 of the year in which the notice is made, NYFS will continue to provide services to the Town under the same terms as set forth in this agreement.
- H. (A) Distribution of Assets Upon Dissolution.

If NYFS ceases to operate, the Board of Directors will do one of the following:

1. Give the assets to one or more non-profit agencies providing similar social services in the northern suburbs of Ramsey County; or,
2. Form a new Foundation to fund appropriate social service programming in the northern suburbs of Ramsey County.

The final Distribution of Assets Plan must be approved by the Ramsey County District Court.

(B) Deviation from the Mission.

If the Town determines that NYFS has materially deviated from its mission (See II. Recitals, A.), the Town may ask the NYFS Board of Directors to consider dissolving the agency and liquidating the assets. The Board will do one of the following:

1. Consider the request and by a majority vote deny it.
2. Consider the request and by a majority vote agree to modify the programs to be consistent with the mission.
3. Consider the request and by a majority vote agree with the request and move to dissolve the agency and liquidate the assets.

**IN WITNESS WHEREOF**, the parties have executed this Agreement on this date set forth below.

**Town Of White Bear Township**

By: \_\_\_\_\_  
Elected Official

Its: \_\_\_\_\_  
Clerk/Manager

Dated: \_\_\_\_\_

**NORTHEAST YOUTH & FAMILY SERVICES**

By: \_\_\_\_\_  
President/CEO

Its: \_\_\_\_\_  
Chair of the Board of Directors

Dated: \_\_\_\_\_

12/2017

Northeast Youth & Family Services  
 City Participation Figures

	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
	3% increase from 2011	1.7% increase CPI-U @ 6-12	1.1% increase CPI-U @6-13	2.1% increase CPI-U 6-14	.04% increase CPI-U 6-15	1.0% increase CPI-U 6/15	1.4% increase CPI-U 6/15
White Bear Township	40,000	35,936	31,872	27,808	23,744	19,680	19,956

## **Northwest Youth & Family Service Program Descriptions**

Residents from partnering municipalities are entitled to the following services.

### **Diversion:**

Youth, 10 - 17, who are charged with misdemeanor and status offenses can use this program as an alternative to the traditional juvenile justice system to rebuild their lives and get back on track. Youth attend educational seminars with their parents, perform community service and pay restitution.

### **Outpatient Mental Health:**

Our licensed mental health staff provides counseling and therapy for the emotional health of children, teens, and adults. NYFS also offers psychiatric services, providing medication management services in tandem with outpatient mental health counseling. As a Rule 29 Community Mental Clinic we serve individuals and families that have insurance and provide services on a sliding fee schedule for those who don't have insurance.

### **Senior Chore:**

NYFS helps older adults live independently in their homes for as long as possible by connecting volunteers and youth and adults in search of work with seniors in need of help. Workers assist seniors with basic services such as routine housekeeping and lawn care as well as seasonal activities such as snow shoveling and leaf raking.

Northwest Youth & Family Services offers an array of other services that residents from partnering municipalities may also access.

## Patti Walstad

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**From:** Patti Walstad  
**Sent:** Friday, December 29, 2017 7:15 AM  
**To:** 'jerry@nyfs.org'  
**Cc:** Bill Short  
**Subject:** FW: Northeast Youth Services Agreement

Jerry, can these changes be made to the 2018 Agreement with the Township?

Thanks, Patti

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**From:** Chad Lemmons [mailto:chadlemmons@kellyandlemmons.com]  
**Sent:** Thursday, December 28, 2017 4:38 PM  
**To:** Patti Walstad <Patti.Walstad@whitebeartownship.org>  
**Subject:** RE: Northeast Youth Services Agreement

Patti,

I reviewed the Agreement and one question that I do have concerns the indemnification clause, F(9). That indemnification clause has appeared in all prior agreements. Under III A all prior agreements and amendments thereto are hereby cancelled. This means the indemnification clause is no longer in effect for prior contracts, and therefore prior actions on behalf of NYFS. I would recommend that F(9) be amended to add the following language after the word "Agreement" which appears on the 4<sup>th</sup> line:

"as well as past agreements between NYFS and Town"

In addition the language in III A should be amended to add the following:

"except as provided in F(9) of this Agreement"

Chad D. Lemmons  
Attorney at Law

Kelly & Lemmons, P.A.  
223 Little Canada Road East  
Suite 200  
St. Paul, MN 55117  
651-224-3781  
651-223-8019 (FAX)

PLEASE NOTE NEW ADDRESS

Attention: Any tax advice in this message is not intended or written to be used and cannot be used for the purpose of avoiding any federal tax penalties. This message and any attachments are intended only for the named recipient(s), and may contain information that is confidential, privileged, attorney work product, or exempt or protected from disclosure under applicable laws and rules. If you are not the intended recipient(s), you are notified that the dissemination, distribution, or copying of this message and any attachments is strictly prohibited. If you receive this message in error, or are not the named recipient(s), please notify the sender at either the email address or the telephone number included herein and delete this message and any of its attachments from your computer and/or network. Receipt by anyone other than the named recipient(s) is not a waiver of any attorney-client, work product, or other applicable privilege, protection, or doctrine. Thank you.

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**From:** Patti Walstad [<mailto:Patti.Walstad@whitebeartownship.org>]

**Sent:** Wednesday, December 27, 2017 2:02 PM

**To:** Chad Lemmons

**Subject:** Northeast Youth Services Agreement

Hi Chad, attached is the 2018 Agreement for the above and also your email from last year with your comments.

This is on the consent agenda for approval next Wednesday.

Thanks, Patti

*Patti S. Walstad*

Patti S. Walstad

Paralegal

White Bear Township

1281 Hammond Road

White Bear Township MN 55110

Direct Dial – 651-747-2756

Office – 651-747-2750

Fax – 651-426-2258

E-mail – [patti.walstad@whitebeartownship.org](mailto:patti.walstad@whitebeartownship.org)

Find us on FaceBook!

## MEMORANDUM

**TO: TOWN BOARD**  
**FROM: PATTI WALSTAD**  
**DATE: DECEMBER 28, 2017**

**SUBJECT: NYFS 2018 AGREEMENT**

Jerry Hromatka of Northeast Youth & Family Services (NYFS) has forwarded their annual Agreement for approval. I have reviewed the Agreement and it is the same as last year.

Attached please find the quarterly reports which have been received during the year per the Agreement.

PSW/s



Northeast Youth & Family Services  
Transforming Lives  
Celebrating 40 Years

RECEIVED  
FEB 09 2017  
TOWN OF WHITE BEAR

January 31, 2017

Bill Short, Town Clerk/Treasurer  
White Bear Township  
1281 Hammond Road  
White Bear Township, MN 55110

Dear Bill:

Part of the way we keep our municipal partners informed about services provided by Northeast Youth & Family Services (NYFS) to residents in your community is through quarterly reports.

Enclosed is a copy of a report outlining the services provided in 2016 up through this most recent quarter. Contract services are those outlined in our agreement. These services are assured to all community residents regardless of their ability to pay. Non-contract services represent those received by your residents through other programs at NYFS. Taken together, this report demonstrates how your partnership helps leverage resources for all services received by your residents. To compliment the hard statistics we like to provide a success story which brings those numbers to life.

If you have any questions about this report or would like to talk about any other aspect of our partnership please don't hesitate to contact me at [jerry@nyfs.org](mailto:jerry@nyfs.org) or at 651-379-3404.

Sincerely,

Jerry Hromatka  
President & CEO

Shoreview Headquarters  
3490 Lexington Ave. N.  
Shoreview, MN 55126

phone 651-486-3808 fax 651-486-3858

[www.nyfs.org](http://www.nyfs.org)

White Bear Lake Area Office  
1280 N. Birch Lake Blvd.  
White Bear Lake, MN 55110

phone 651-429-8544 fax 651-407-5301

**White Bear Lake Township**  
**Report Period: January 1, 2016 to December 31, 2016**

The following is a brief report on Northeast Youth & Family Services' programs that directly affect the residents of your community. If you have any questions about this report, please call Jerry Hromatka, President & CEO, at (651) 379-3404.

<b>Annual City Contract for Service 2016</b>	<b>\$23,744</b>
<b>Total cost of all services through December 31</b>	<b>\$19,375</b>

(Please note that these numbers represent the actual cost of services provided, not what NYFS charges clients for these services. Because of your collaboration with NYFS, many of these services are offered free of charge or on a sliding-fee scale based on income.)

Services Provided	City Totals		
	# of Clients	Hours	Service Cost
<b>Contracted Services</b>			
Mental Health	14	95.5	\$ 14,325.00
Diversion Services	10	41.0	\$ 2,270.47
Senior Chore			
Seniors	9	139.0	\$ 2,780.00
<b>Total for Contracted Services</b>	<b>33</b>	<b>275.5</b>	<b>\$ 19,375.47</b>

<b>Totals for all Individual Services</b>	<b>33</b>	<b>275.5</b>	<b>\$ 19,375.47</b>
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\*In addition to services provided by NYFS Staff, as part of the Diversion Program, 8 youth provided 88 hours of community service valued at \$880.

## NYFS Success Stories: October – December 2016

The following contains one story from NYFS' Mental Health and Diversion Programs respectively in order to give you a personal perspective of how lives are changed through your partnership with Northeast Youth and Family Services.

- *Ellen is a 12-year-old girl who was referred to therapy because of extreme anxiety. She was unable to stop worrying about day-to-day aspects of her life, and was having difficulty sleeping, and was especially anxious at school. An NYFS school-embedded therapist worked with Ellen on some visualization exercises among other techniques, including 'bossing back' the anxiety. He recommended exercise and Ellen began walking on a regular basis. They developed a consistent bedtime routine which included drinking hot tea and reading a good book. Ellen's mother was involved in the therapy and helped Ellen to maintain these new routines. After 6 months of services, Ellen and her mother reported that the anxiety was significantly decreased, and she is now able to attend school with minimal anxiety and is sleeping much better.*
- *Charlie is a young man previously referred to NYFS through the Diversion Program. He is incredibly respectful, works hard at school and home, and loves basketball. He also comes from a really tough home situation as he never sees his Dad and his Mom is very hard on him; often taking out her frustrations with life on him. Yet Charlie has one of the most positive attitudes NYFS Diversion has seen in the last decade.*

*Diversion staff recently had a chance to take Charlie and two other young men to the Timberwolves-Sixers game with donated tickets from one of NYFS' partners - TixforTots. This was the first professional game of any kind any of the 3 boys had ever been too, and they were treated to seats in row 9 at the Target Center. They were also treated to a McDonalds meal by staff, and it was clear they were gracious about the gift, as each of them simply ordered a single chicken sandwich and a glass of water.*

*These three young men were so excited and could not stop thanking the staff for taking them to the game. One of the boy's father is in prison out west, and another never sees his father. An NYFS therapist who works with two of the boys has also communicated with Diversion that they rarely get to go anywhere or do anything out of the ordinary, making the event very meaningful for them*

\*\*\* Any names used were changed to protect our clients' identities.



Northeast Youth & Family Services  
Transforming Lives  
Celebrating 40 Years

June 30, 2017

Bill Short, City Clerk/Treasurer  
White Bear Township  
1281 Hammond Road  
White Bear Township, MN 55110

Dear Bill,

One of the many things we are proud of at NYFS is our partnerships with organizations in the community. Working together we ensure critical services are available for those in need and that precious resources are used wisely.

Over the years our partnerships with local municipalities have ensured services within their local community and contributed to a strong region. With the merger in 2012, we now partner with 15 municipalities across the northeast metro area.

As part of the merger, we agreed that a partnering municipality's annual support would be adjusted over a five year period to bring it in line with other municipalities that support NYFS. This adjustment period will be complete at the end of 2017.

In 2010 the city administrators from our partner municipalities and NYFS met and decided that the June CPI-U would be used to determine each city's contribution for the coming year. Currently the CPI-U is 1.4. As a result, we are proposing that your 2018 City Participation amount would be \$19,956 a 1.4 increase over 2017.

We're sending you this correspondence now to aid in your planning for your next fiscal year. In November we will seek confirmation of the amount you are budgeting for your collaborative support of NYFS. In the meantime if you have any questions please don't hesitate to contact me at (651)-379-3404 or at [jerry@nyfs.org](mailto:jerry@nyfs.org).

Thank you for your continued support of NYFS. We are honored that you consider us worthy of your support and look forward to our ongoing partnership as we work in tandem to serve the residents of our area.

Sincerely,

Jerry Hromatka  
President & CEO



Northeast Youth & Family Services  
Transforming Lives

RECEIVED  
AUG 21 2017  
TOWN OF WHITE BEAR

August 18, 2017

Bill Short, Town Clerk/Treasurer  
White Bear Township  
1281 Hammond Road  
White Bear Township, MN 55110

Dear Bill:

Part of the way we keep our municipal partners informed about services provided by Northeast Youth & Family Services (NYFS) to residents in your community is through quarterly reports.

Enclosed is a copy of a report outlining the services provided in 2017 up through this most recent quarter. Contract services are those outlined in our agreement. These services are assured to all community residents regardless of their ability to pay. Non-contract services represent those received by your residents through other programs at NYFS. Taken together, this report demonstrates how your partnership helps leverage resources for all services received by your residents. To compliment the hard statistics we like to provide a success story which brings those numbers to life.

If you have any questions about this report or would like to talk about any other aspect of our partnership please don't hesitate to contact me at [jerry@nyfs.org](mailto:jerry@nyfs.org) or at 651-379-3404.

Sincerely,

Jerry Hromatka  
President & CEO

Shoreview Headquarters  
3490 Lexington Ave. N  
Shoreview, MN 55126

phone 651-486-3808 fax 651-486-3858

[www.nyfs.org](http://www.nyfs.org)

White Bear Lake Area Office  
1280 N. Birch Lake Blvd.  
White Bear Lake, MN 55110

phone 651-429-8544 fax 651-407-5301

**City of White Bear Lake Township**  
**Report Period: January 1, 2017 to June 30, 2017**

The following is a brief report on Northeast Youth & Family Services' programs that directly affect the residents of your community. If you have any questions about this report, please call Jerry Hromatka, President & CEO, at (651) 379-3404.

<b>Annual City Contract for Service 2017</b>	<b>\$19,680</b>
<b>Total cost of all services through March 31</b>	<b>\$3,160</b>

(Please note that these numbers represent the actual cost of services provided, not what NYFS charges clients for these services. Because of your collaboration with NYFS, many of these services are offered free of charge or on a sliding-fee scale based on income.)

Services Provided	City Totals		
	# of Clients	Hours	Service Cost
<b>Contracted Services</b>			
Mental Health	1	20	\$ 3,000.00
Diversion Services			\$ -
Senior Chore			
Youth			
Seniors	1	8	\$ 160.00
<b>Total for Contracted Services</b>	<b>2</b>	<b>28</b>	<b>\$ 3,160.00</b>

<b>Totals for all Individual Services</b>	<b>2</b>	<b>28</b>	<b>\$ 3,160.00</b>
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\*There are no NYFS clients that have completed community service work through our Diversion program at this point in the year.

## NYFS Success Stories: April – June 2017

The following contains one story from NYFS' Mental Health and Diversion Programs respectively in order to give you a personal perspective of how lives are changed through your partnership with Northeast Youth and Family Services.

Diversion - One of the advantages we have with NYFS Diversion Program is our ability to tie some of our referrals into other NYFS programs. This quarter we have had 2 Diversion clients get involved with our Senior Chore program and do very well. In one case, the senior being served called back and raved about the work our young man had done and tried to give him a big 'tip'. He, out of politeness finally took it after saying no, but then turned it in to us at NYFS. We returned it to the senior along with our appreciation of what she had done. This student also wants to become a regular in the senior chore program when he completes his community service hours.

RECEIVED

DEC 07 2017

TOWN OF WHITE BEAR

December 5, 2017

Bill Short  
City Clerk/Treasurer  
White Bear Township  
1281 Hammond Road  
White Bear Township, MN 55110

Dear Bill:

Enclosed is an invoice for White Bear Township's support of NYFS for 2018. This reflects a 1.4% increase over 2017. The reasoning for this increase is the CPI-U was +1.4 in June 2017. As a reminder, 2018 is the first year the municipalities that joined NYFS in the 2012 merger are subject to the standard annual adjustment.

2017 marks the 41st anniversary of NYFS. We're proud of the service we have provided over the years and understand fully that much of our success is due to the many partnerships we have in the community.

We feel honored to be worthy of your ongoing support over the years and look forward to partnering with White Bear Township in 2018 as we work in tandem to make our community a good place to live, work and do business. If at any time you need additional information, please don't hesitate to contact me.

Sincerely,



Jerry Hromatka  
President & CEO

Northeast Youth & Family Services  
3490 Lexington Avenue N.  
Shoreview, MN 55126  
Phone: (651) 486-3808

INVOICE

January 30, 2018

Bill Short  
City Clerk/Treasurer  
White Bear Township  
1281 Hammond Road  
White Bear Township, MN 55110

2018 Municipality Participation Amount:

Total Due by January 30, 2018 . . . . . \$ 19,956

*Please make checks payable to Northeast Youth & Family Services.*



**Town Board Meeting  
January 3, 2018**

**Agenda Number: 5B – Consent**

**Subject: Ordinance No. 33 (Sign) Amendments – Refer to  
Town Attorney for Review**

**Documentation: Staff Memo w/Proposed Amendments**

**Action / Motion for Consideration:**

Receive Information / Discuss

Refer Proposed Amendments to Ordinance No. 33 (Sign) to Town  
Attorney for Review

## MEMORANDUM

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

**SUBJECT: SIGN ORDINANCE AMENDMENT**

Wilson Tool/Aspect LED is proposing to lease light industrial building space on Constellation Drive in White Bear Township. Aspect LED manufactures LED lighting including signs. They would like to install a large sign on their site in order to advertise their business. A pylon type sign 250 square feet in area is planned.

Staff was asked to proposed Sign Ordinance wording which would permit larger signs for larger industrial buildings. The following is current ordinance language. The underlined wording is staff's proposed amendment to the Sign Ordinance which may be considered.

Industrial Zoning District (I-1).

- One business or identification sign per business or building by permit is allowed for each lot for buildings up to 70,000 square feet in area.
- For buildings exceeding 70,000 square feet in area one building mounted and one monument/pylon sign is permitted. Sign size shall not exceed 250 square feet or a total of 400 square feet for both signs.

Light industrial businesses with multiple buildings may place up to 2 signs on each building over 50,000 square feet in size. Signs on these large buildings (over 50,000 square feet) may not exceed 250 square feet each and the total of the two signs may not exceed 400 square feet.

The maximum number of signs allowed for a light industrial business is four.

The additional wording if adopted would allow the following businesses located in the Town to increase their sign area:

- Heraeus (will qualify for multiple signs when second building is constructed)
- Wilbert
- Water Gremlin (currently qualifies for the larger signs as defined by the Sign Ordinance)

Town businesses which currently qualify for larger signs based on existing ordinance requirements are:

- Schwing America
- SMC
- Cortec
- Aetna
- Water Gremlin

TR/psw  
cc:admin.file  
b:signord



**Town Board Meeting  
January 3, 2018**

**Agenda Number: 5C – Consent**

**Subject: Cost Recovery for Recurring Code Violations at Same Address – Authorize Town Attorney to Research**

**Documentation: None**

**Action / Motion for Consideration:**

Receive Information / Discuss

Authorize Town Attorney to Research the Township's Ability to Recover Costs for Recurring Code Violations at Same Address



**Town Board Meeting  
January 3, 2018**

**Agenda Number:** 5D – Consent

**Subject:** **Town Board Email Addresses** – Authorize the Finance Officer to Contact Roseville IT to Establish Email Addresses for the Town Board Members

**Documentation:** Town Attorney Memorandum

**Action / Motion for Consideration:**

Receive Information / Discuss

Based on Town Attorney Recommendation Authorize the Finance Officer to Contact Roseville IT to Establish Email Addresses for the Town Board Members

## MEMORANDUM

**DATE:** December 20, 2017  
**TO:** Town of White Bear  
**FROM:** Chad D. Lemmons  
**RE:** Establishing Official Email Addresses for Town Board Supervisors

---

### DISCUSSION

The question has been raised as to whether or not the Town should establish official email addresses for each supervisor on the Town server. Our advice is that such addresses should be established.

In the event of litigation involving the Town, the opposing party would have the right under existing discovery rules to request copies of all emails received or sent by a supervisor. If the supervisor is using their own personal email address to either send or receive emails involving Town business, the opposing party would have the right to examine all emails sent to or from that address to discover any emails sent regarding Town business. This could result in the inadvertent disclosure of personal or business emails.

By establishing official email addresses and using only those email addresses to send or receive Town communications, discovery would be limited to that email address. It is important to keep in mind that once official email addresses are established only that address should be used to send or receive Town communications.

There is another reason for establishing official email addresses and maintaining those email addresses on the Town server. Under the federal rules, when litigation is commenced all computers are to be "frozen" to avoid any deletion or modification of electronic evidence. If all emails are stored on the Town's server there would be no need to "freeze" a supervisor's personal computer. It is our understanding that an immediate back up and download would satisfy that rule. In the event the Town ever finds itself being a party to a federal court action, further instructions would have to be issued.

### OPEN MEETING LAW

I just want to remind you that because there are only three supervisors it is very easy to create a quorum. According to *Moberg v. Independent School District No. 281*, 336 N.W. 2d 510, a meeting occurs if members gather to discuss, decide or receive information. Therefore you should avoid sending any emails to each other which discusses issues that are or will come before you. If there is information which you think the other supervisors should have, send it to Town staff who can then distribute it. *Moberg* does allow for distribution of material as long as it is not discussed outside of a public meeting.

### CONCLUSION

For the reasons set forth above, the Town should establish official email addresses for each supervisor. All email communications from or to a supervisor should be done through the Town server and no emails should be director from one supervisor to the other. Instead all emails should be directed to the Town Clerk or another member of Town staff.



**Town Board Meeting  
January 3, 2018**

**Agenda Number: 5E – Consent**

**Subject: Planning Commission Appointments – Appoint Steve Swisher to Fill an Unexpired Term Through April 30, 2018 & Monica Loes to Fill an Unexpired Term Through April 30, 2019.**

**Documentation: Applications**

**Action / Motion for Consideration:**

Receive Information / Discuss

Appoint Steve Swisher to Fill an Unexpired Term on the Planning Commission Through April 30, 2018

and

Appoint Monica Loes to Fill an Unexpired Term on the Planning Commission Through April 30, 2019.



RECEIVED

OCT 30 2017

APPLICATION FOR APPOINTMENT TO BOARD OR COMMISSION

TOWN OF WHITE BEAR

Dear Applicant:

We welcome you as an applicant for one of our Boards/Commissions. Any resident of White Bear Township for at least one year is generally eligible for nomination to any of the Township's standing Commissions established by Ordinance. However, preference will be given to registered voters.

You are encouraged to attach any additional information which you believe qualifies you for appointment to the Commission you have selected.

BOARD OR COMMISSION PREFERENCE:

- Checkboxes for various boards: Economic Development Advisory Board, Park Board, Planning Commission (checked), Public Safety Commission, Utility Commission, Ramsey/Washington Suburban Cable Commission, VLAWMO Technical Commission (TEC), WBL Conservation District.

RETURN APPLICATION TO:

By Mail: White Bear Township, 1281 Hammond Road, White Bear Township, MN 55110. By E-Mail: wbt@whitebeartownship.org

PERSONAL INFORMATION:

Name: Steve Swisher

Address: 1210 Pondview Lane White Bear Township MN

Telephone: Home: 612-916-1229 Cell: 612-916-1229 Work: 612-999-2348

E-Mail Address: Steve.Swisher@yahoo.com

How long have you been a resident of White Bear Township? June 2013

Are any members of your immediate family presently employed by White Bear Township, or serving on any of the Township's Boards or Commissions: NO

If yes, please explain:

Your occupation: Mortgage Banker Employer: LAND HOME FINANCIAL

I am a member of the following civic organizations: MINNESOTA Mortgage BANKERS ASSOC. Lyra Baroque Orchestra, Volunteer at Feed My Starving Children, GERMAN AMERICAN Club

Please list your special interests, education, past experiences, etc. which you feel would benefit the Township by your appointment to the Board/Commission you have preferred above:

Currently serving on Township Parks and Recreation. Past Appointments were White Bear Lake City Planning Commission

Signature: [Handwritten Signature]

Date: 10-30-2017



**APPLICATION FOR APPOINTMENT  
TO BOARD OR COMMISSION**

Dear Applicant:

We welcome you as an applicant for one of our Boards/Commissions. Any resident of White Bear Township for at least one year is generally eligible for nomination to any of the Township's standing Commissions established by Ordinance. However, preference will be given to registered voters.

You are encouraged to attach any additional information which you believe qualifies you for appointment to the Commission you have selected.

**BOARD OR COMMISSION PREFERENCE:**

- Economic Development Advisory Board
- Park Board
- Planning Commission
- Public Safety Commission
- Utility Commission
- Ramsey/Washington Suburban Cable Commission
- VLAWMO Technical Commission (TEC)
- WBL Conservation District

**RETURN APPLICATION TO:**

**By Mail:**  
White Bear Township  
1281 Hammond Road  
White Bear Township, MN 55110

**By E-Mail:**  
[wbt@whitebeartownship.org](mailto:wbt@whitebeartownship.org)

**PERSONAL INFORMATION:**

Name: Monica Loes

Address: 2634 Martin Way

Telephone: Home: (612) 208-8807 Cell: (612) 208-8807 Work: \_\_\_\_\_

E-Mail Address: loes.monica@gmail.com

How long have you been a resident of White Bear Township? 3 years

Are any members of your immediate family presently employed by White Bear Township, or serving on any of the Township's Boards or Commissions: No

If yes, please explain: \_\_\_\_\_

Your occupation: Release Engineer Employer: SmartThings

I am a member of the following civic organizations: n/a

Please list your special interests, education, past experiences, etc. which you feel would benefit the Township by your appointment to the Board/Commission you have preferred above:

I am interested in being more active in the community and to be a part of positive change or improvements to the city and it's residents.

My career experience has consisted of project planning, product knowledge, continuous learning and implementation of solutions both procedural or technical.

Personally I enjoy hosting events and/or helping coordinate. I strive for being efficient with the use of time and resources. You can find more information regarding my professional here: <https://www.linkedin.com/monica-loes-a36bb28/>

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

Date: 09/30/2017



**Town Board Meeting  
January 3, 2018**

**Agenda Number: 5F – Consent**

**Subject: Park Board Appointments – Appoint Jason DeMoe to Fill an Unexpired Term Through April 30, 2018 & Appoint Erik Josephson to Fill a Vacant Term Through April 30, 2020**

**Documentation: Applications**

**Action / Motion for Consideration:**

Receive Information / Discuss

Appoint Jason DeMoe to Fill an Unexpired Term on the Park Board Through April 30, 2018

and

Appoint Erik Josephson to Fill a Vacant Term on the Park Board Through April 30, 2020

RECEIVED

AUG 16 2017

TOWN OF WHITE BEAR



**APPLICATION FOR APPOINTMENT  
TO BOARD OR COMMISSION**

Dear Applicant:

We welcome you as an applicant for one of our Boards/Commissions. Any resident of White Bear Township for at least one year is generally eligible for nomination to any of the Township's standing Commissions established by Ordinance. However, preference will be given to registered voters.

You are encouraged to attach any additional information which you believe qualifies you for appointment to the Commission you have selected.

**BOARD OR COMMISSION PREFERENCE:**

- Economic Development Advisory Board
- Park Board
- Planning Commission
- Public Safety Commission
- Utility Commission
- Ramsey/Washington Suburban Cable Commission
- VLAWMO Technical Commission (TEC)
- WBL Conservation District

**RETURN APPLICATION TO:**

By Mail:  
White Bear Township  
1281 Hammond Road  
White Bear Township, MN 55110

By E-Mail:  
[wbt@whitebeartownship.org](mailto:wbt@whitebeartownship.org)

**PERSONAL INFORMATION:**

Name: Jason DeMoe

Address: 1403 Brandlwood Road, White Bear Township

Telephone: Home: \_\_\_\_\_ Cell: 651 331 8076 Work: 763 233 0708

E-Mail Address: jvdemoe@gmail.com

How long have you been a resident of White Bear Township? August 4, 2017

Are any members of your immediate family presently employed by White Bear Township, or serving on any of the Township's Boards or Commissions: No

If yes, please explain: \_\_\_\_\_

Your occupation: Newspaper Reporter Employer: Forest Lake Times

I am a member of the following civic organizations: Forest Lake Lions, MOST FL Community Drug and Alcohol Awareness Coalition

Please list your special interests, education, past experiences, etc. which you feel would benefit the Township by your appointment to the Board/Commission you have preferred above:

Former Vice Chair Forest Lake Parks, Lakes, Trails Commission, Employed since 2014 with Lakes Area Community Television, strong advocate for community and volunteerism. Strong advocate for protecting our natural resources.

Signature: Jason Victor DeMoe

Date: 8-17-2017



RECEIVED

DEC 12 2017

**APPLICATION FOR APPOINTMENT  
TO BOARD OR COMMISSION**

TOWN OF WHITE BEAR

Dear Applicant:

We welcome you as an applicant for one of our Boards/Commissions. Any resident of White Bear Township for at least one year is generally eligible for nomination to any of the Township's standing Commissions established by Ordinance. However, preference will be given to registered voters.

You are encouraged to attach any additional information which you believe qualifies you for appointment to the Commission you have selected.

**BOARD OR COMMISSION PREFERENCE:**

- Economic Development Advisory Board
- Park Board
- Planning Commission
- Public Safety Commission
- Utility Commission
- Ramsey/Washington Suburban Cable Commission
- VLAWMO Technical Commission (TEC)
- WBL Conservation District

**RETURN APPLICATION TO:**

By Mail:  
White Bear Township  
1281 Hammond Road  
White Bear Township, MN 55110

By E-Mail:  
[wbt@whitebeartownship.org](mailto:wbt@whitebeartownship.org)

**PERSONAL INFORMATION:**

Name: Erik Josephson

Address: 4188 Forest Ct, White Bear Township, MN 55110

Telephone: Home: \_\_\_\_\_ Cell: (703) 859-4054 Work: \_\_\_\_\_

E-Mail Address: erjosephson@gmail.com

How long have you been a resident of White Bear Township? 2.5 years

Are any members of your immediate family presently employed by White Bear Township, or serving on any of the Township's Boards or Commissions: No

If yes, please explain: \_\_\_\_\_

Your occupation: Grants/Contracts Admin Employer: Capital Impact Partners

I am a member of the following civic organizations: PEAK Grantmaking - MN Chapter  
Lake Links Association

Please list your special interests, education, past experiences, etc. which you feel would benefit the Township by your appointment to the Board/Commission you have preferred above:

Experience in drafting regulations, legal training, willingness to serve community,  
interest in planning and land use

Signature: Erik Josephson

Date: December 12, 2017



**Town Board Meeting  
January 3, 2018**

**Agenda Number: 5G – Consent**

**Subject: Utility Commission – Appoint George Fredericks to Fill a Vacant Term Through April 30, 2020**

**Documentation: Application**

**Action / Motion for Consideration:**

Receive Information / Discuss

Appoint George Fredericks to Fill a Vacant Term on the Utility Commission Through April 30, 2020



RECEIVED

DEC 07 2017

APPLICATION FOR APPOINTMENT TO BOARD OR COMMISSION

TOWN OF WHITE BEAR

Dear Applicant:

We welcome you as an applicant for one of our Boards/Commissions. Any resident of White Bear Township for at least one year is generally eligible for nomination to any of the Township's standing Commissions established by Ordinance. However, preference will be given to registered voters.

You are encouraged to attach any additional information which you believe qualifies you for appointment to the Commission you have selected.

BOARD OR COMMISSION PREFERENCE:

- Checkboxes for various boards: Economic Development Advisory Board, Park Board, Planning Commission, Public Safety Commission, Utility Commission, Ramsey/Washington Suburban Cable Commission, VLAWMO Technical Commission (TEC), WBL Conservation District.

RETURN APPLICATION TO:

By Mail: White Bear Township, 1281 Hammond Road, White Bear Township, MN 55110

By E-Mail: wbt@whitebeartownship.org

PERSONAL INFORMATION:

Name: GEORGE J FREDERICKS

Address: 5958 HOBE LAKE WHITE BEAR LAKE MN 55110

Telephone: Home: SAME Cell: 651-331-0105 Work: SAME

E-Mail Address: GEORGEF@MN.MILK.MPKS.COM

How long have you been a resident of White Bear Township? 60 YEARS

Are any members of your immediate family presently employed by White Bear Township, or serving on any of the Township's Boards or Commissions? No

If yes, please explain:

Your occupation: DESIGN CONSULTING Employer: SELF EMPLOYED

I am a member of the following civic organizations: BALD EAGLE ASS

MN DNR INVASIVE SPECIES, RAMSEY COUNTY CONSERVATION DISTRICT

Please list your special interests, education, past experiences, etc. which you feel would benefit the Township by your appointment to the Board/Commission you have preferred above:

CONSERVATION 1/17, 4 YEARS VOTEC 10 YEARS TEACHING TO TEACH MY EXPERIENCES IN DESIGN IN MECHANICAL & UTILITY CONSTRUCTION WORKING WITH ARCHITECTS AND CITY/PLANNERS. TRY TO GIVE BACK TO THE COMMUNITY. THANK YOU

Signature: George J Fredericks

Date: 12/7/2017



**Town Board Meeting  
January 3, 2018**

**Agenda Number:** 5H – Consent

**Subject:** Public Safety Commission – Appoint Mark Griffin to the Alternate Position on the Commission

**Documentation:** None

**Action / Motion for Consideration:**

Receive Information / Discuss

Appoint Mark Griffin to the Alternate Position on the Public Safety Commission



**Town Board Meeting  
January 3, 2018**

**Agenda Number: 6A - Old Business**

**Subject: 7:10 p.m. Public Hearing – Special Three Dog License Request @ 1651 Garden Lane – Renewal**

**Documentation:** Staff Memo w/ attachments  
Public Notice / Resident Letter / Mailing List / Map  
Affidavit of Publication  
Proposed Special Three Dog License

**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

Based on Staff Review & Recommendation Approve the Request for the Renewal of the Special Three Dog License @ 1651 Garden Lane through March 31, 2020, subject to the following conditions:

1. This Special Three Dog License shall be limited to the dogs currently residing at 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. The Special Three Dog License shall be revisited by the Animal Control Officer & reviewed by the Town Board in six (6) months to insure compliance.
6. This Special Three Dog License shall expire on March 31, 2020. Application for renewal shall be completed prior to that date.
7. White Bear Township reserves the right to revisit the action to approve this Special Three Dog License if complaints are received during the license period.
8. State, Federal and local laws and Ordinances shall be complied with.

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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. Heubener 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 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.

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.**

## MEMORANDUM

**TO: TOWN BOARD**  
**FROM: PATTI WALSTAD**  
**DATE: DECEMBER 29, 2017**

**SUBJECT: SPECIAL THREE DOG LICENSE – 1651 GARDEN LANE**

Amy Chester, 1651 Garden Lane, has applied for a Special Three Dog License. Ordinance No. 5 (Animal), sets forth the following procedures that should be followed:

The dogs shall have current rabies certificates:

All of the dogs are current on their shots.

The dogs shall have current Township licenses:

All the dogs have current Township licenses.

Completion of an Application for a Special Three Dog License along with the \$100 fee:

The Application has been completed. (The fee was waived.)

Report by Animal Control:

Officer Lee's report is attached hereto.

Neighbor Comments Received:

Please see attached email.

### **Requested Action:**

Approve the issuance of a Special Three Dog License to Amy Chester, 1651 Garden Lane, subject to the following conditions:

1. This Special Three Dog License shall be limited to the dogs currently residing at 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. The Special Three Dog License shall be revisited by the Animal Control Officer & reviewed by the Town Board in six (6) months to insure compliance.
6. This Special Three Dog License shall expire on March 31, 2020. Application for renewal shall be completed prior to that date.
7. White Bear Township reserves the right to revisit the action to approve this Special Three Dog License if complaints are received during the license period.
8. State, Federal and local laws and Ordinances shall be complied with.

PSW/s  
cc:admin/add.file  
b:1651garden



RECEIVED  
DEC 14 2017  
TOWN OF WHITE BEAR

### Application for Special Three Dog License

A Special Three Dog License may be granted or denied by the Town Board after a Public Hearing in accordance with Ordinance No. 5 (Dog), Section 5-5.

#### Applicant Information

Applicant Name: <u>Amy Chester</u>	Home Phone: <u>651-414-0634</u>
Property Owner Name (if different): _____	Work Phone: _____
Property Address: <u>1651 Garden Lane</u>	Cell Phone: <u>952-393-7613</u>

#### Property Information

Description of Property (i.e. house w/fenced yard): _____	Description of Outside Kennel Area (if any): _____
<u>House with fenced yard</u>	<u>N/A</u>

#### Dog Information

Breed of Dog:	Age of Dog:
(1) <u>Chihuahua Mix</u>	(1) <u>7</u>
(2) _____	(2) <u>10</u>
(3) _____	(3) <u>11</u>

To Be Completed by Office:	
Date Request Received <u>12-16-17</u>	\$100.00 Fee Paid <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
By <u>[Signature]</u>	
Date Application Complete _____	<u>N/A</u>



## 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.**

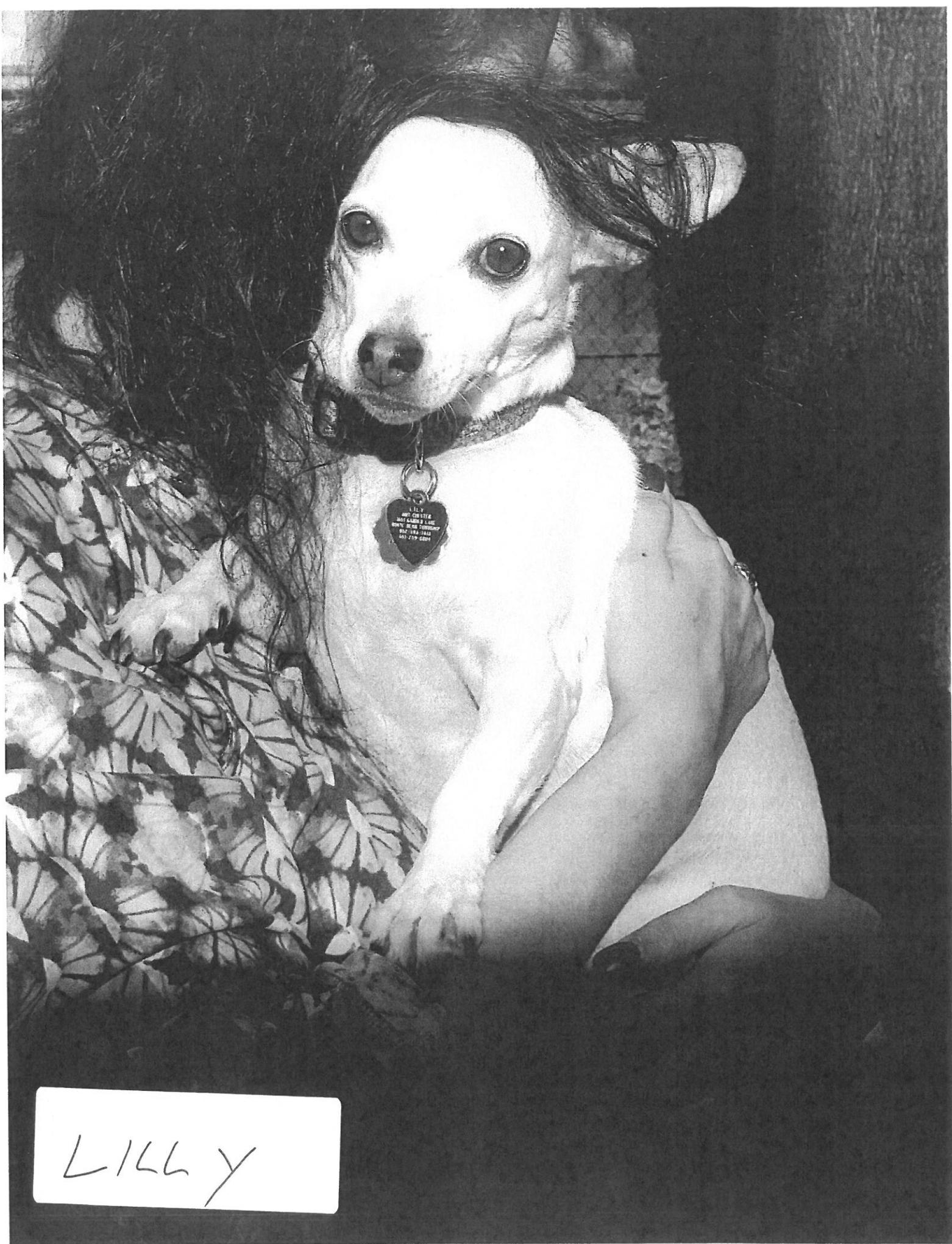
**Sanitation:** Indoors: adequate ventilation with modern climate control. No signs of litter accumulation nor urine spots outdoors. Food and water containers were clean.

**Complaints since last inspection:** None

**RECOMMENDATION:** Approve special 3 dog license.

Mario R. Lee, CSO #1026  
Animal Control Officer





LILLY

TASMINE  
BUMPER



MISSY ✓



## Patti Walstad

---

**From:** Patti Walstad  
**Sent:** Wednesday, December 27, 2017 8:34 AM  
**To:** 'Elida Olson'  
**Subject:** RE: Special Three Dog License

Elida thank you for your e-mail and it will be forwarded to the Town Board & to our Code Enforcement Officer.

Patti

Patti S. Walstad  
Paralegal  
White Bear Township  
1281 Hammond Road  
White Bear Township MN 55110

Direct Dial – 651-747-2756  
Office – 651-747-2750  
Fax – 651-426-2258  
E-mail – [patti.walstad@whitebeartownship.org](mailto:patti.walstad@whitebeartownship.org)

Find us on FaceBook!

-----Original Message-----

**From:** Elida Olson [<mailto:erolson868@gmail.com>]  
**Sent:** Friday, December 22, 2017 10:52 AM  
**To:** Patti Walstad <[Patti.Walstad@whitebeartownship.org](mailto:Patti.Walstad@whitebeartownship.org)>  
**Subject:** Special Three Dog License

I am at 1633 Garden Lane, two houses away, and a house actually blocks their yard, so we only hear them if we are in our back yard.

I know they are very irritating to the neighbors between us because they are "yipppers". We have two dogs and the only time the one barks is when someone comes on our property, which we appreciate. Our small dog doesn't bark loud enough for anyone to hear.

Three dogs is a lot and my concern is that they are well cared for and if they do bark that the owners get them to stop.

However, I do have another concern. I am an original homeowner in this neighborhood and when we built our house we were told that you could not have recreational vehicles sitting in your yard where your neighbors would have to look at them. We have looked at the giant houseboat that is sitting next to their house for the last two years. Most of our neighbors take pride in their property, and like our neighbors on Cottage Lane, it looks like a junk yard.

Can you please request that the houseboat be removed and stored somewhere else. It would be greatly appreciate!

Thank you!

Elida Olson  
Homeowner  
1633 Garden Lane

## 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.



**NOTICE OF HEARING REQUEST FOR A SPECIAL THREE DOG LICENSE IN THE TOWN OF WHITE BEAR, RAMSEY COUNTY, MINNESOTA**

**NOTICE IS HEREBY GIVEN**, That the Town Board of Supervisors of the Town of White Bear, Ramsey County, Minnesota, will meet at Heritage Hall, 4200 Otter Lake Road, in said Town on Wednesday, January 3, 2018 at 7:10 p.m., to consider the request for a Special Three Dog License at the following described property, to-wit:

Lot 5, Block 3, Zachman's Third Addition

(1651 Garden Lane)

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 4<sup>th</sup> day of December, 2017.

BY ORDER OF THE TOWN BOARD OF SUPERVISORS

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

WILLIAM F. SHORT, Clerk-Treasurer



**WHITE BEAR  
TOWNSHIP**

1858  
RAMSEY COUNTY  
MINNESOTA

1281 HAMMOND ROAD  
WHITE BEAR TOWNSHIP, MN 55110

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

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

December 19, 2017

Township Resident  
White Bear Township, Minnesota

**Re: Special Three Dog License**

Dear Resident:

Enclosed please find a **Notice of Hearing Request for a Special Three Dog License in the Town of White Bear, Ramsey County, Minnesota.**

The occupants of property at 1651 Garden Lane are requesting renewal of their Special Three Dog License.

Pursuant to Town Ordinance, a Public Hearing must be held on the matter. Therefore, a Public Hearing has been scheduled for **Wednesday, January 3, 2018 @ 7:10 p.m., at Heritage Hall, 4200 Otter Lake Road, White Bear Township, Minnesota.**

If you have any comments or questions regarding this request, please plan to attend the Public Hearing. If you cannot attend the hearing you may forward your comments or concerns to me by letter, e-mail at [patti.walstad@whitebeartownship.org](mailto:patti.walstad@whitebeartownship.org), or telephone at 651.747.2756, and they will be presented to the Town Board at the hearing.

Sincerely,

PATTI WALSTAD  
Paralegal

PSW/s  
Enc.  
cc:admin/add.file  
b:1651garden18

Norman Keimig  
1676 Garden Lane  
White Bear Township, MN 55110

Eldon Bagwell  
1676 Ridgewood Ave  
White Bear Township, MN 55110

Carrie Busta  
1647 Hammond Road  
White Bear Township, MN 55110

Matthew Saunders  
1670 Ridgewood Ave  
White Bear Township, MN 55110

Ginny Nicole Cairl  
5106 Cottage Lane  
White Bear Township, MN 55110

Kurt Johnson  
1627 Hammond Road  
White Bear Township, MN 55110

Jamie Koehler  
1677 Garden Lane  
White Bear Township, MN 55110

David Jansen  
5114 Cottage Lane  
White Bear Township, MN 55110

Marie Bunning  
1641 Hammond Road  
White Bear Township, MN 55110

Nancy Sauerwein  
5107 Lakeview Ave  
White Bear Township, MN 55110

Troy Timermanis  
1632 Ridgewood Ave  
White Bear Township, MN 55110

Bruce Hunter  
1652 Garden Lane  
White Bear Township, MN 55110

Jeffery Olson  
1633 Garden Lane  
White Bear Township, MN 55110

Larry Winter  
5115 Lakeview Ave  
White Bear Township, MN 55110

James Rumpca  
1642 Garden Lane  
White Bear Township, MN 55110

Roberta Hainlin  
1650 Ridgewood Ave  
White Bear Township, MN 55110

Joseph Pasma  
5098 Cottage Lane  
White Bear Township, MN 55110

Paul Sargent  
1663 Garden Lane  
White Bear Township, MN 55110

Clarke Heubener  
1641 Garden Lane  
White Bear Township, MN 55110

Thomas Bourgoin  
1622 Garden Lane  
White Bear Township, MN 55110

Steven Pitt  
5106 Lakeview Ave  
White Bear Township, MN 55110

Kenneth Laclair  
1621 Garden Lane  
White Bear Township, MN 55110

Michael Bowes  
1622 Garden Lane  
White Bear Township, MN 55110

Carol Bergmann  
1632 Garden Lane  
White Bear Township, MN 55110

William Bakken  
1638 Ridgewood Ave  
White Bear Township, MN 55110

Bill Morter  
5067 Lakeview Ave  
White Bear Township, MN 55110

Gregory Dahlke  
1687 Garden Lane  
White Bear Township, MN 55110

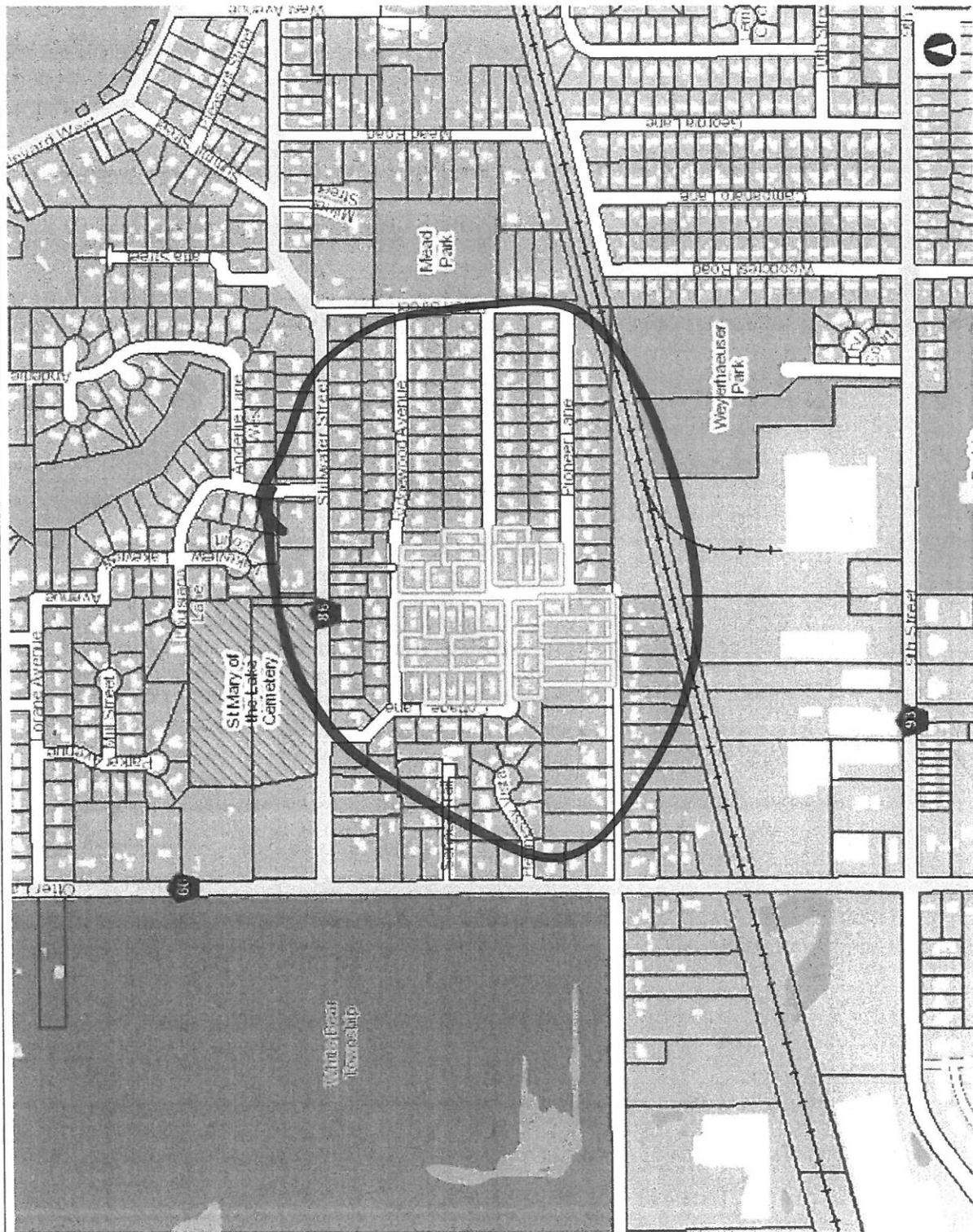
Michael Bealke  
2533 4<sup>th</sup> St.  
White Bear Township, MN 55110

Elizabeth Koval Bystrom  
5074 Lakeview Ave  
White Bear Township, MN 55110

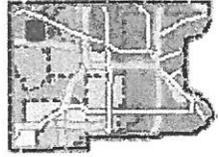
Gerald Johnson  
1684 Garden Lane  
White Bear Township, MN 55110

Occupant  
5066 Lakeview Ave  
White Bear Township, MN 55110

William Clark  
1651 Garden Lane  
White Bear Township, MN 55110



**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

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 20th day of December, 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

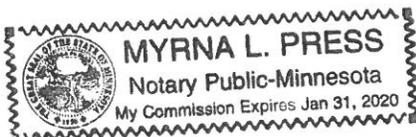
- 5. Mortgage Foreclosure Notices. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in Ramsey County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the 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 20th day of December, 2017.

[Signature]
Notary Public





### **Special Three Dog License**

I hereby certify that Amy Chester, who resides at 1651 Garden Lane, White Bear Township, Minnesota, which is legally described as follows:

Lot 5, Block 3, Zachman's Third Addition, Ramsey County, Minnesota

(1651 Garden Lane)

and is located within a(n) R-1 – Suburban Residential District, has been granted a Special Three Dog License for the keeping of up to three (3) dogs for private pets, all in accordance with the attached requirements, and pursuant to Ordinance No. 5, the dog/animal ordinance for the Town of White Bear, Ramsey County, Minnesota.

Dated: January 3, 2018.

---

WILLIAM F. SHORT, Clerk-Treasurer

## **Special Three License Requirements**

Amy Chester  
1651 Garden Lane  
White Bear Township, MN 55110

1. This Special Three Dog License shall be limited to the dogs currently residing at 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. 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.
6. The Special Three Dog License shall be revisited by the Animal Control Officer & reviewed by the Town Board in six (6) months to insure compliance.
7. This Special Three Dog License shall expire on March 31, 2020. Application for renewal shall be completed prior to that date.
8. 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.
9. State, Federal and local laws and Ordinances shall be complied with.



**Town Board Meeting  
January 3, 2018**

**Agenda Number: 6B - Old Business**

**Subject: Board of Appeals & Adjustments – Outline Procedure**

**Documentation:** Appeal & Adjustment Request – Nathan Haase /  
Supplemental Information from Nathan Haase /  
Ordinance 35 Procedure

**Action / Motion for Consideration:**

Receive Request / Discuss Procedure

-----  
Ordinance No. 35 , Board of Appeals & Adjustments -

**9-7. BOARD OF APPEALS AND ADJUSTMENTS.** The Town Board, sitting as the Board of Appeals and Adjustments for the Town shall be established. The Town Board may act as the Board of Appeals and Adjustments or, in the alternative, the Town Board may appoint a Board of Appeals and Adjustments. The Board shall elect a chair and shall appoint a recording secretary. It shall hold meetings, keep minutes and, pursuant to notice, shall conduct hearings, take testimony and render decisions consistent with the provisions of Section 9-8 (Appeals and Adjustments).

**9-8. APPEALS AND ADJUSTMENTS.**

**9-8.1. GENERAL.** Appeals and adjustments to any reasonable condition imposed by this Ordinance may be granted where there is an error in any order, requirement, decision or determination made by the Code Enforcement Officer, by any other officer of the Town, or by the Town Board in the enforcement of this Ordinance.

**9-8.2. APPLICATION.** Applications for Appeals and Adjustments shall be filed with the Town Clerk together with the review and approval of all governmental agencies having such authority.

**9-8.2(a).** An application fee in an amount established by Town Ordinance shall accompany the application.

**9-8.2(b).** The applicant shall provide ten (10) copies of the site plan and building plans together with all supporting data. This information shall be submitted in the following manner:

(1). The site plan data required shall be that of the applicable section which is the subject matter of the appeal and adjustment.

(2). Building plans shall indicate the size, location and use of all structures, and preliminary architectural plans for all structures including exterior finishes, floor plans and elevations.

(3). The Board of Appeals and Adjustments may require the applicant to provide additional information where such information is deemed necessary for review of the application. The Board of Appeals and Adjustments may waive any of the requirements of Section 9-8.2(b), where such information is deemed not necessary for review of the application.

### **9-8.3. REVIEW.**

**9-8.3(a).** An application for appeals and adjustment shall be transmitted by the Town Clerk to the Board of Appeals and Adjustments within sixty (60) days after filing. In the interim, the Town Clerk shall forward the copies of the application to the appropriate staff and consultants for review and comment.

**9-8.3(b).** If the application is denied by any governmental agency having such authority, the Town Clerk shall terminate the review process and return the application to the applicant.

**9-8.3(c).** If the application is approved by all governmental agencies having such authority, the application, together with staff, consultant and agency reviews, shall be forwarded to the Planning Commission for its review and recommendation.

**9-8.3(d).** The Town Clerk shall forward all comments and recommendations to the Board of Appeals and Adjustments following the Planning Commission meeting.

**9-8.3(e).** The Board of Appeals and Adjustments shall schedule a public hearing. A notice of the time, place and purpose of the public hearing shall be given by mail to the applicant and shall be published in the official newspaper of the Town, at least ten (10) days prior to the day of the hearing.

**9-8.3(f).** The Board of Appeals and Adjustments shall thereafter consider the application, the Planning Commission recommendation together with the staff, consultant and agency reviews, and thereupon render a decision in writing within forty-five (45) days after the proceedings have been closed. Such decision shall be consistent with the provisions of this Ordinance.

**9-8.4. STANDARDS.** The standards applied shall be those of the applicable section which is the subject matter of the appeal and adjustment.

RECEIVED  
DEC 29 2017  
TOWN OF WHITE BEAR



## APPEAL AND ADJUSTMENT REQUEST

### INTRODUCTION

Appeals and adjustments to any reasonable condition imposed by Ordinance No. 35 (Zoning) may be granted where there is an error in any order, requirement, decision or determination made by the Code Enforcement Officer, by any other officer of the Town, or by the Town Board in the enforcement of this Ordinance.

Date Submitted: 12/29/17 Date Complete: \_\_\_\_\_  
Applicant(s): NATHAN HAASE Telephone (w) 612-667-8607  
(c) 651-485-7561  
Applicant(s) Address: 4133 Oakmede Ln  
WBTOWNSHIP 55110  
Address of Site: 441 Oakmede Ln

Action to be Appealed: The granting of a permit to build an  
Accessor structure in violation of the town  
ordinance, and MN Sherdend

### CHECKLIST:

Completed Application Form Including:

Fee \$35.00 & \$150.00 Expense Deposit \*See Page 2

Ten (10) copies of the site plan and building plans together with all supporting data. This information shall be submitted in the following manner:

1

to be emailed to Bill Short

- The site plan data required shall be that of the applicable section which is the subject matter of the appeal and adjustment.
- Building plans shall indicate the size, location and use of all structures, and preliminary architectural plans for all structures including exterior finishes, floor plans and elevations.
- The Board of Appeals and Adjustments may require the applicant to provide additional information where such information is deemed necessary for review of the application. The Board of Appeals and Adjustments may waive any of the requirements of Section 9-8.2(b), where such information is deemed not necessary for review of the application.

**REVIEW PROCESS:**

\_\_\_\_\_ Date application for appeals and adjustment transmitted by the Town Clerk to the Board of Appeals and Adjustments. (Sixty (60) days after filing. In the interim, the Town Clerk shall forward the copies of the application to the appropriate staff and consultants for review and comment.)

\_\_\_\_\_ Date forwarded to the Planning Commission for its review and recommendation.

\_\_\_\_\_ Date the Board of Appeals and Adjustments scheduled a public hearing for. A notice of the time, place and purpose of the public hearing shall be given by mail to the applicant and shall be published in the official newspaper of the Town, at least ten (10) days prior to the day of the hearing.

\_\_\_\_\_ Date of decision in writing within forty-five (45) days after the proceedings have been closed. Such decision shall be consistent with the provisions of this Ordinance.

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

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

Expenses deemed by the Board to be the responsibility of the Town shall not be charged to an owner or applicant at the direction of the Town Board.

  
\_\_\_\_\_

12/29/2017  
\_\_\_\_\_

Date

\_\_\_\_\_  
Signature of Applicant(s)

## Patti Walstad

---

**From:** Bill Short  
**Sent:** Friday, December 29, 2017 9:30 AM  
**To:** Tom Riedesel; Mike Johnson; Patti Walstad  
**Subject:** FW: 4141 Oakmede  
**Attachments:** 4141 Oakmede Appeal and Adjustment.docx; ATT00001.htm

---

**From:** Nathan Haase [mailto:nhaase84@yahoo.com]  
**Sent:** Friday, December 29, 2017 9:05 AM  
**To:** Bill Short <Bill.Short@whitebeartownship.org>  
**Subject:** Fwd: 4141 Oakmede

Bill, attached is the applicant summary for the board of appeals. I think it is substantially complete. If you need anything else please let me know. As I stated before I am always open to hear the supported reason behind the decisions of the building inspector and open to accepting my being wrong if reasonable to deduce my error per the plain meaning of the ordinance. If at anytime the township arrives at a reasonable conclusion solution or compromise I will be eager to listen. Thanks

Sent from my iPhone

Begin forwarded message:

**From:** <nathan.haase@wellsfargo.com>  
**Date:** December 29, 2017 at 8:50:04 AM CST  
**To:** <nhaase84@yahoo.com>  
**Subject:** 4141 Oakmede

12/29/2017 Nathan Haase

The summary constitutes the applicant requirements in the Zoning Ordinance #35 9-8.2(b). I Nathan Haase (the applicant and owner of 4133 Oakmede Ln) formally appeal the decision of the building inspector Mike Johnson to permit the accessory structure at 4141 Oakmede Ln.

### **Impervious Area Violation:**

Per the Memorandum created by Mike Johnson the impervious area limitation of Ordinance 8-6.8(b)(1) is commonly calculated using "all the private property lot area". I contend this to be false and contrary to the requirements of the ordinance. The wording of the ordinance is as follows:

**8-6.8(b)(1)** *Impervious surface coverage of lots must not exceed 25 percent of the lot area.*

The word "Lot" is defined in in the Zoning Ordinance #35 below. The word "Parcel" which is in the ordinance is not defined in the ordinance but the plain meaning of the word is a part or portion of land. The word parcel is used in the Zoning Ordinance in various ways and reasonably affirms that a parcel is a general reference to a portion of land (large or small) with no additional consistent significance whatsoever.

**3-38. LOT.** *A parcel of land occupied or capable of being occupied by one or more structures.*

**Parcel:** *In the law of real property parcel signifies a part or portion of land.*

*Source: Black's Law Dictionary (Online Version)*

The above definition of Lot indicates that a Lot is "A Parcel of land" which is synonymous with portion, piece, or part of land. The land "occupied or capable of being occupied by one or more structures" completes the definition of the word "Lot". The word structure is defined in the ordinance as "Anything constructed...which require a fixed location on the ground" (see below).

**3-70. STRUCTURE.** *Anything constructed or erected, the use of which require a fixed location on the ground or an attachment to something having a fixed location on the ground, including, in addition to buildings, carports, porches, and other building features, but not including fences, mailbox poles, newspaper box poles, public utility uses, flagpoles, lawn ornaments, paving stones, off-premises advertising signs (billboards), and retaining walls.*

The information above plain meaning of the definition of "Lot" and signifies it as buildable or useable land. The ordinance also includes in the definitions the Minimum Area of Lot. The minimum area of lot is "computed exclusive of Wetlands, and Drainage Retention Areas" among other things which are not capable of containing structures or of being used and encroached on for private use.

**3-40. LOT, MINIMUM AREA OF.** *The horizontally projected contiguous area of a lot computed exclusive of wetlands, drainage retention areas, floodplains, lakes, streams, public parks and the right-of-way of any public or private roadway.*

The definition of lot used by Mike Johnson included the entire area of the property including significant portions of Wetland and a Drainage Easement which encompasses perimeter of a drainage retention area.

The negative effect of this incorrect interpretation by Mike Johnson essentially affords most property owners on Oakmede Ln nearly limitless impervious area. The only ordinances that would meaningfully restrict impervious surface on these lots would be set-backs of structures from property lines. The purpose of the ordinance **8-6.8(b)(1)** is meant to limit and prevent sediment run-off and protect the sensitive wetland and shoreland areas. In an absurd twist of tortured logic the township has loosened restrictions on owners of shoreland and wetlands giving additional erroneous rights to harm these sensitive areas with twice or five times the impervious surface allowed on these properties as compared to neighboring properties with exactly the same amount of buildable land capable of containing structures. Exhibit 1 below shows how most property on Oakmede Ln contains both wetland and a

drainage easement and Mike Johnson's interpretation of the ordinance is leading to significant increases in run-off and harmful over-development in a manner that is absurdly inconsistent with Minnesota Shoreland Management Act. The interpretation of the Zoning Ordinance #35 section **8-6.8(b)(1)** by the building inspector violates the minimum standards required by Minnesota Rule Chapter 6120.3300 which states "Only land above the ordinary high water mark level of public waters can be used to meet lot area standards". I should note that 4141 Oakmede Ln is not on public water however the building inspector also permitted the construction of an accessory structure adjacent public water at 4150 Oakmede Ln using the same flawed methodology to calculate the remaining allowed impervious surface. I have no intention making an issue of the structure at 4150 Oakmede Ln other than to illustrate the flawed methodology developed by the building inspector was used on property adjacent public water. The Shoreland Ordinance adopted by the Township was approved by the DNR in 1993 and the agreed definition of lot was the same as the one in the ordinance today **3-38** at that time. If the plain meaning of the definition of Lot in the ordinance is applied to the shoreland ordinance than the exact words in the state standards concerning only land above the ordinary high water mark being used to meet lot area standards is immaterial as in many respects the definition 3-38 and 3-40 exceed the state standards by excluding other wetlands. It should also be noted that the only reason the pond behind 4141 Oakmede Ln is not a public water is because the Township of White Bear is not an incorporated area; a city. I would rather doubt the court would favor in any way granting special privilege to the last remaining township in Ramsey County to loosen the safeguards and protections of wetlands on such a technicality. There are valid reasons to continue government as a township but escaping the responsibility to provide basic protections to all wetlands is not one of them.

**EXHIBIT 1**



### **Side Lot Set-Back Violation:**

The side-lot of setback of 4141 Oakmede Ln are less than the required 10ft per the table 7-1 in the ordinance. This in ordinary terms of an infractions might normally be considered de minimis as long as the essential character and use of the property remained the same. Given the fact that it is unusual for vehicles to travel down the side of a person's home on green grass the required setback is now far more pertinent and might reasonably be viewed as valid factor in deciding the fate of the accessory structure. The fact that it was de minimis in 2011 does not remove the fact that the ordinance was violated and a variance was required at the time and absent a properly obtained variance a violation of the ordinance has occurred. One might surmise that this photo in Exhibit 2 is an unfair portrayal the scene today, however, the frequency in which the garage is used currently has no limits placed on it and daily use of the accessory structure is permitted. Please also note that the need to utilize the side lot which is conservatively 9ft to the west and 8ft to the east as a vehicle route severely limits what ordinary landscaping can be installed. Further more frequent vehicle traffic over green areas will increase erosion and run-off on a lot that is already developed beyond the allowable impervious surface limit. The accessory structure is as large as a 3 car garage and frequent vehicle traffic should not be a surprise in the future; it should be very much expected.

### **Accessory Structure Height and Limitations on Garages:**

The height of the accessory structure is something of an oddity. I could easily argue it is neither customarily subordinate nor incidental. The building inspector should have known this but instead indicated that an accessory structure would need to be greater than 1000 square feet or higher than 35 feet to become non-compliant. I read 7-9.1(a) and it clearly states that an accessory structure "shall not exceed 15' in height". The next sentence states "accessory structures exceeding 15' in height shall conform to the minimum rear yard setback requirements of this Ordinance". This is something of a riddle but in the context of zoning it is not. The portion stating "Accessory structures exceeding 15' in height shall conform to the minimum rear yard setback requirements of this Ordinance" is very likely referring to a garage. Since customarily a garage might exceed 15 feet. When you consider a garage in the context of zoning is also regulated as an accessory structure in certain ways so far as setbacks are concerned. I also need to add that the so called "accessory structure" is a 2<sup>nd</sup> garage and a residential lot is allowed only one garage attached or detached. The permit is repeatedly referred to as garage by the building inspector and it has a 16ft garage door to the west and it is designed to store and contains motor vehicles (boat).

**3-2. ACCESSORY STRUCTURE.** *A structure detached from a principal building or single family dwelling and garage on the same parcel(s) of land customarily incidental and subordinate to the principal building or single family dwelling and garage, not used for living quarters.*

**7-9.1(a).1.** *An accessory structure shall be located a minimum of 10' from a rear lot line in a residential zoning district, shall be incidental and subordinate to both the single family dwelling and garage, shall not be located over any drainage and utility easement **and shall not exceed 15' in height.** Accessory structures exceeding 15' in height shall conform to the minimum rear yard setback requirements of this Ordinance.*

5-7. No permit shall be issued for the construction of more than one (1) private garage for each dwelling. Each applicant for a building permit to construct any dwelling shall be required to provide off-street parking space as provided by Ordinance No. 35.

2-37. **GARAGE, PRIVATE** means a building, shed or enclosure or a part thereof designed or used for the shelter or storage of motor vehicles containing flammable fuel and having a floor area not exceeding 1,200 square feet, outside dimensions.

Building Code Ordinance #8

5-29. **GARAGES – ATTACHED OR DETACHED – AND ACCESSORY BUILDINGS.** Every single family dwelling shall be permitted to have one (1) garage, attached or detached, and one (1) accessory building auxiliary to the single family dwelling. The combined area of any garage attached or detached and accessory building shall not exceed 10% of the total square footage of the lot not to exceed a total combined area of 2,000 square feet. No permit shall be granted where the remaining lot, yard and density are less than the minimum percent of the green area provided in Ordinance No. 35. In no event shall an individual building exceed one thousand (1,000) square feet in area unless approved by the Town Board in accordance with Sections 5-29.A. and B. Play houses and gazebo's are not included within the term "accessory building". All accessory buildings shall be so located on property as to conform to the minimum set back requirements of Ordinance No. 35 (Zoning Ordinance) and shall be located behind the single family dwelling.

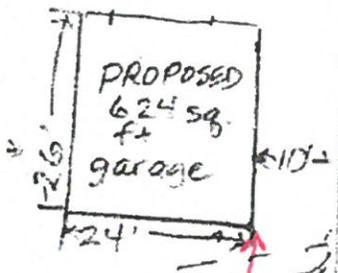
**Exhibit 3:**

Description on Building Permit Application:

Briefly describe work: 24' x 26' detached Garage

Permit File Name Given by Building Inspector: 4141 oakmede garage permit.pdf

Site plan provided by Paul Wax:



**EXHIBIT 2**

**Note: The portion of land containing or capable of containing structures is 13,400 square feet. The impervious area as I calculate it should be limited to 3350 square feet unless a variance and typically remediation is used in support of the variance. The current impervious area is 155% or 5200 square feet and no such variance/restrictions or remediation was used.**





**Town Board Meeting  
January 3, 2017**

**Agenda Number: 7A – New Business**

**Town Engineer Item:**

**Subject: Comprehensive Plan – Authorize TKDA to Supply Necessary Data to the Township to Complete the Comprehensive Plan Update**

**Documentation: TKDA Correspondence**

**Action / Motion for Consideration:**

Town Engineer Report at Meeting / Discuss

Based on Town Engineer Review & Recommendation Authorize TKDA to Obtain the Necessary Documentation Including North Oaks & Lino Lakes to Prepare the Sanitary Sewer, Watermain & Storm Sewer Update Data, Charts & Maps to be Incorporated into the Comprehensive Plan Update in an Amount Not to Exceed \$22,500 With Funding from the Sanitary, Water & Storm Funds



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

December 28, 2017

Honorable Chairman and Town Board  
White Bear Township, Minnesota

RE: Comprehensive Plan Authorization  
Sanitary Sewer/Watermain/Storm Sewer  
White Bear Township, Minnesota  
TKDA Project No. 16327.000

Dear Board Members:

The Town Board Authorized HKgi to prepare the Comprehensive Plan Update. Their proposal didn't include preparing the Transportation, Sanitary Sewer, Watermain or Storm Sewer data for the Plan Update. Tom Riedesel and HKgi are covering the necessary meetings.

Tom Riedesel and Dale Reed will be preparing and updating the Transportation portion of the Plan using data they are receiving from Ramsey County including the TAZ reports. HKgi and Tom/Dale are not able to provide the technical data of the remaining portions of the Plan.

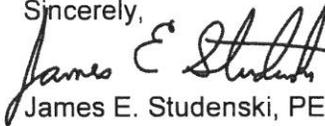
TKDA has received a letter of required documentation for the Plan from HKgi. We have reviewed this request with Tom Riedesel and will follow the System Statements developed by the MetCouncil to perform the work.

The work will address the sanitary sewer capacity in the Centerville Road pipe that both North Oaks and Lino Lakes are planning to use for their developments.

The work will be substantially completed for the Township Annual meeting presentation and finish the requirements following the meetings comments. Tom Riedesel will provide Plan updates at the Town Board Executive meetings.

TKDA would obtain the necessary existing documentation including North Oaks and Lino Lakes to prepare the sanitary sewer, watermain and storm sewer updated data, charts and maps for an amount not to exceed \$22,500. This information will then be incorporated into the Plan Update. The funding for this activity will come from the Sanitary, Water and Storm Funds.

Please contact me with any questions.

Sincerely,  
  
James E. Studenski, PE  
Town Engineer



**Town Board Meeting  
January 3, 2018**

**Agenda Number:** 7B – New Business

**Public Works Director Item:**

**Subject:** Well #5 Roof Edge Parapet Cap & Gutter Replacement - Approve

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

**Action / Motion for Consideration:**

Report at Meeting / Discuss

Based on Public Works Director Review & Recommendation Approve the Quote From Commercial Roofing & Sheet Metal, Inc., to Replace the Parapet Cap & Downspouts in the Amount of \$9,890.44 With Funding from the Water Fund Account of the Enterprise Fund in 2017

## MEMORANDUM

Date: December 27, 2017

To: Town Board

From: Dale Reed, Public Works Director

Re: Replacement parapet cap and downspouts for Well #5 Building

The veneer work for Well #5 was completed in December. The existing parapet cap and downspouts cannot be reused as the cap needs to be wider to cover the top course of the veneer to protect moisture from entering.

Staff requested quotes from two contractors. Both provided proposals for replacing the parapet cap and gutters as specified:

- Commercial Roofing & Sheet Metal, Inc. for \$9890.44 and
- S.J. Anderson Construction for \$12,700.00.

Staff is recommending approving the proposal from Commercial Roofing for the parapet cap and gutter replacement on the Well #5 Building.

The project was identified in the 2017-2021 CIP for \$150,000.00 with funding from the Water Fund Account of the Enterprise Fund in 2017. The veneer bid was for \$130,900.00, leaving \$19,100.00 for the parapet and gutter replacement.

Town Board action requested is to approve the quote from Commercial Roofing & Sheet Metal, Inc. for \$9,890.44.

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)

**DATE:** December 14, 2017

**NAME:** White Bear Township – Contact: Dale Reed      **PHONE:** 651-429-7829

**JOB ADDRESS:** Well #5 – 4295 Otter Lake Road White Bear Township, MN

**JOB DESCRIPTION:**

We will complete the work as follows:

1. Install (1) 2"x8" wood board and a taper edge on top of parapet. Demo of existing coping cap will be by others.
2. Install new 60 Mil EPDM over top of parapet and run-down face. Adhere the new EPDM to the base of the existing flashing.
3. Install new 24 gauge prefinished galvanized iron coping cap with new 22-gauge galvanized iron continuous keeper.
4. Install approximately 70 lineal feet of prefinished 24-gauge galvanized iron open faced downspouts.

\*\*\*\*CHANGE ORDERS\*\*\*\*

Any extra work wanted, required by City or unknown issues that affect price will be written up as a change order and agreed upon by owner and Contractor, signed and dated and amount paid in full at signing. Verbal change orders on site, by both parties acceptance is also considered a change order, if document is unwanted.

PAY SCHEDULE: Payment in full required upon completion of job.

JOB COST: \$12,700.00

GENERAL CONTRACTOR PRE-LEIN NOTICE TO OWNER:

[A] ANY PERSONS OR COMPANY SUPPLYING LABOR OR MATERIALS FOR THIS IMPROVEMENT TO YOUR PROPERTY MAY FILE A LEIN AGAINST YOUR PROPERTY IF THAT PERSON OR COMPANY IS NOT PAID FOR THE CONTRIBUTIONS.

[B] UNDER MINNESOTA LAW, YOU HAVE THE RIGHT TO PAY PERSONS WHO SUPPLIED LABOR OR MATERIALS FOR THIS IMPROVEMENT DIRECTLY AND DEDUCT THIS AMOUNT FROM OUR CONTRACT PRICE, OR WITHHOLD THE AMOUNTS DUE THEM FROM US UNTIL 120 DAYS AFTER COMPLETION OF THE IMPROVEMENT UNLESS WE GIVE YOU A LEIN WAIVER SIGNED BY PERSONS WHO SUPPLIED ANY LABOR OR MATERIAL FOR THE IMPROVEMENT AND WHO GAVE YOU TIMELY NOTICE.

\*\* Once partial payment or full payment is made to SJ ANDERSON CONSTRUCTION, a receipt and waiver of Mechanics Lien rights for that amount, will be given to owner by SJ ANDERSON CONSTRUCTION.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alterations or deviations from the above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, wind damage and other necessary insurance. Our workers are fully covered by Workman's Compensation insurance.

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

Scott J Anderson
S.J. Anderson Construction.

Note: This proposal may be Withdrawn by us if not accepted within \_\_\_\_\_ days.

Acceptance of Proposal The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: \_\_\_\_\_

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

Property Owner



# RoofWare Reports

## *Quote*

**Customer:** White Bear Lake Township  
Attn: Dale Reed  
1281 Hammond Rd  
White Bear LaMN  
55110

**Quote Date:** 12/ 8/2017  
**Expiry Date:** 1/ 7/2018  
**Time:** 9:30:28 AM

**Project:** Well House #5  
4295 Otter Lake Road White Bear Lake  
1 Story Industrial

**Estimate#:** 2675-3720

**Job#:**

**Quote:** 12/08/17 Quote 1

**Estimator:** Commercial Roofing & Sheet Metal Inc.

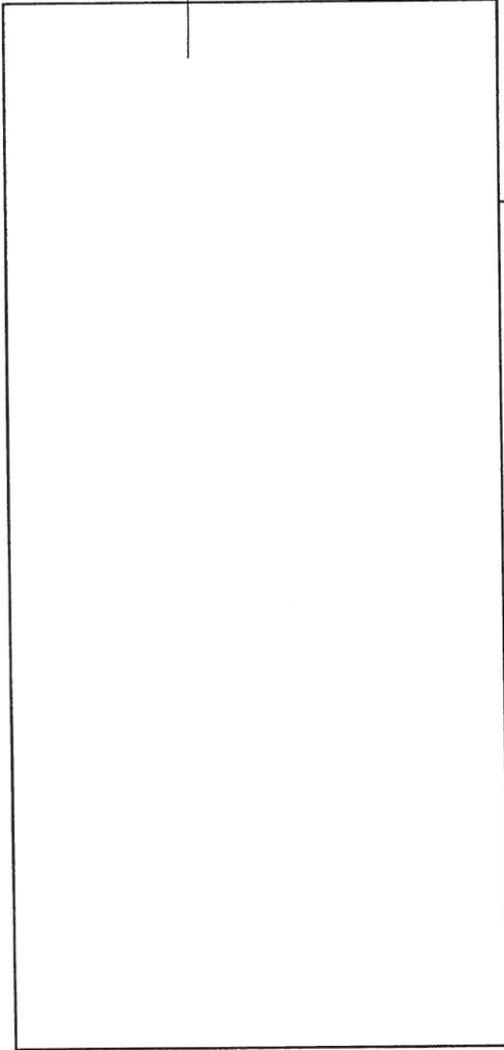
**Salesrep:** Mark Wagner

**Total:** **\$9,890.44**

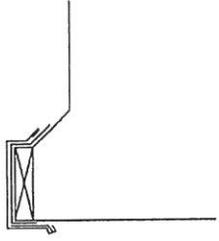
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### **Notes:**

Install 2x8 wood cap on top of Parapet  
Install self adhering underlayment  
Fabricate and install new 22 gauge GI keeper strip  
Fabricate and install new 24 gauge prefinished coping and cover plates.  
Fabricate and install new 24 gauge prefinished downspouts at the existing locations.  
Fabricate and install prefinished flashing at the door openings including flashing to cover plywood at top of entrance door.  
See details on attached plan.



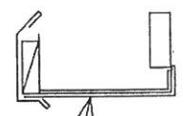
Typical Roof Edge



Typical door jamb and head



Entrance Door



New prefinished fascia

Commercial Roofing & Sheet Metal Inc. 221 Ryan Drive Little Canada, MN. 55117 Tel: (651) 483-5298 Fax: (651) 483-5387	
Project	Well House #5
Customer	White Bear Lake Township
DWG. By	MJW
Date	12-7-17
Scale	N.T.S
This drawing is the property of Commercial Roofing & Sheet Metal Inc. It may not be reproduced without consent.	



**Town Board Meeting  
January 3, 2018**

**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