



WHITE BEAR TOWNSHIP

1858
RAMSEY COUNTY
MINNESOTA

1281 HAMMOND ROAD
WHITE BEAR TOWNSHIP, MN 55110

651-747-2750

FAX 651-426-2258

Email: wbt@whitebeartownship.org

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

AGENDA TOWN BOARD MEETING MARCH 5, 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 Minutes of February 21, 2018 (Additions/Deletions).
5. **Consent Agenda:**
 - A. **White Bear Lake Sports Center** – Approve the Connection to the Township’s Sewer System at the White Bear Lake Sports Center, 1328 Highway 96 East, & Waive the Payment of the Local Sewer Availability Charge.
 - B. **5685 Portland** – Authorize Town Attorney to Hire Appraiser to Review Town Appraisal for 5685 Portland Avenue.
 - C. **Employee Recognition Program Policy** – Adopt to Recognition Policy.
 - D. **Manitou Days Parade Participation** –
 - 1) Approve Participation & Payment of \$70.00 Entry Fee for 2018 Manitou Days Parade
 - 2) Call Special Town Board Meeting for Friday, June 15, 2018, Beginning at 4:30 p.m.
 - E. **Park Board Recommendations** – Based on Park Board Recommendation Appoint Scott Lombardi as Chair & Selena Koster as Vice Chair of the Park Board for the Coming Year.
6. **Old Business:**
 - A. **2340 Hoxie – Special Three Dog License** – 6 Month Review.



recycled paper

7. **New Business:**

- A. **7:10 p.m. Public Hearing - Cambridge Downs** – Continue Request for a Major Subdivision & a Conditional Use Permit for a Planned Unit Development Between Peterson Road & Centerville Road to Monday, April 2, 2018 Beginning @ 7:10 p.m.
- B. **Nathan Landucci, 5508 West Bald Eagle Boulevard** - Continue the Following Requests: Zoning Ordinance Amendment; Lakeshore & Right-of-Way Setback Variances; Conditional Use Permit for Guest Cottage to Monday, April 2, 2018 Beginning @ 7:20 p.m.

Town Planner Item:

- C. **Vickie Baker, 5428 East Bald Eagle Boulevard** – Request for a 15' Right-of-Way Setback Variance; a 9.7% Green Area Variance; a 364' Garage Area Variance to Allow Construction of a New Home.

Public Works Director Item:

- D. **Polar Lakes Park** – Approve White Bear Lake School District 624's Ballfield Preparation/Maintenance Proposal for 2018.
- E. **2018 Sealcoat Project** –
 - 1. Receive Bids
 - 2. Award Contract

Town Engineer Item:

- F. **Improvement 2016-1 – Pine Hill:**
 - 1. Approve Final Payment to C.W. Houle
 - 2. Approve Reduction in Escrow Deposit

General Business:

- G. **Lucy's Burgers, 1190 County Road J** – Tent Party Request.

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



Town Board Meeting March 5, 2018

Agenda Number: 1 - 2 - 3 - 4

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

Approval of March 5, 2018 Agenda

Approval of Payment of Bills

Approval of Minutes of February 21, 2018 Town Board Meeting

Documentation: March 5, 2018 Agenda
February 21, 2018 Town Board Minutes

Action / Motion for Consideration:

Call meeting to order:	7:00 p.m.
Approval of Agenda:	March 5, 2018 (additions/deletions)
Approval of Payment of Bills	
Approval of Minutes:	February 21, 2018 Town Board Minutes

**MINUTES
TOWN BOARD MEETING
FEBRUARY 21, 2018**

The meeting was called to order at 7:01 p.m.

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

APPROVAL OF AGENDA (Additions/Deletions): Prudhon moved approval of the agenda with the following amendments: Add to New Business: 8A) Animal Services Agreement: A) Approve Agreement with the City of St. Paul 2) Authorize Execution by Town Board Chair & Town Clerk. 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 FEBRUARY 17, 2018 (Additions/Deletions): Ruzek moved approval of Minutes of February 17, 2018. Prudhon seconded. Ayes all.

CONSENT AGENDA: Ruzek moved approval of the Consent Agenda as follows: 5A) Based on Town Engineer Review and Recommendation & Including His Recommended Conditions, Approve Xcel Energy Permit to Install a New Electric Service for the Business Building at 2310 Leibel Street Which Will Require Directional Boring; 5B) Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve CenturyLink Permit to Install Buried Cable to Service the Existing Business at 4221 White Bear Parkway Which Will Be Performed Through Boring and Open Trenching; 5C) Park Board Recommendation – Authorize Staff to Start Discussion to Purchase Garley Park Property; 5D) Receive Construction Activity Report. Prudhon seconded. Ayes all.

OLD BUSINESS: There were no Old Business agenda items.

RAMSEY COUNTY GIS USER GROUP JOINT POWERS AGREEMENT RENEWAL – APPROVE: The Planner reported that in 1995 the first users group from member communities was formed. The purpose was for interested government units to use Geographic Information Systems (GIS) and data created and maintained by Ramsey County. He noted that the request is for renewal of the Joint Powers Agreement which is intended to establish and enable the Users Group to represent the parties to this Agreement for the purposes of undertaking negotiations and transactions. The term of the renewal is January 1, 2018 through December 31, 2020. The annual fee is \$1,101.00.

Prudhon moved, based on Town Attorney and Staff review and recommendation to approve the renewal of the Ramsey County GIS Joint Powers Agreement for the term of January 1, 2018 through December 31, 2020 and to authorize execution by the Town Board Chair and Town Clerk. Ruzek seconded. Ayes all.

CAPRA'S UTILITIES, INC. – 2320 LEIBEL STREET – APPROVAL OF A PERMITTED USE STANDARDS PERMIT TO ALLOW CONSTRUCTION OF A 18,900 SQUARE FOOT OFFICE/WAREHOUSE BUILDING: The Planner reported that Capra Utilities, Inc. is requesting approval of a Permitted Use Standards Permit which would allow construction of an

**MINUTES
TOWN BOARD MEETING
FEBRUARY 21, 2018**

18,900 square foot office/warehouse building. The new building is proposed for the lot at 2320 Leibel Street. This is the last undeveloped lot in the Leibel Addition Light Industrial Park. Capra Utilities owns several lots in the Leibel Addition. The building is planned to be leased to one of their current tenants which is looking for additional space to lease. The proposed building is similar in design and will use exterior materials consistent with other buildings in the development. The building is proposed to be a two story wood framed structure with a pitched asphalt shingle roof. Parking areas are planned on both the front and rear of the building. Seventeen stalls are proposed for each end of the building. The building is proposed to be placed 15' from the west lot line with vehicle access to the building on the east side. The garage doors are proposed to face east. When the Leibel Addition Light Industrial Park was developed in the 1980's requirements were adopted for all future developers/users of the platted lots.

The Capra plan shows areas of wetland on the 2320 and 2330 Leibel Street lots. When the Leibel Addition was developed a large wetland area was filled and replaced on the easterly portion of the site. Drainage ditches were graded around the perimeter of the properties. Several of the lots remained vacant after they were graded according to the approved Leibel Addition plans. Without development or use of the lots, some of the drainage ways did not flow according to plans and "incidental" wetlands were created. Since these incidental wetlands were not natural, they qualify for a wetland exemption. This means that they may be filled without replacement. Wetland areas are proposed to be filled on the undeveloped lot at 2320. In addition, Capra would like to modify the site plan at 2030 Leibel Street relocating a storm water treatment area to the southerly portion of the site. Storm water treatment at 2320 Leibel Street is also proposed on the south side of the property. Mike Turnbull, the Town's Fire Inspector has reviewed the plans and offers the following comments: 1) an automatic fire protection system shall be installed in the building; and 2) a new fire hydrant must be provided within 120' of the Fire Department connection to the building.

In response to a question regarding how many users are proposed for the new building, the Planner stated that there would only be one user. Kris Capra stated that one of their current tenants needs more space and will be taking over the use of the building. Prudhon asked if there would be enough parking for the employees. Kris Capra stated that they will park on either side of the building and when access to the garage doors are not needed, employees park in front of the garage doors. She stated that they have not had any parking issues with the tenants to date. Since there is only one user proposed for the building they will have a lot of flexibility on where to park. In response to a question if the building were partitioned off at some time in the future and there would be additional users if there would be enough parking. Kris Capra stated that they usually have small business owners and have not encountered any parking issues with other tenants. With only one user proposed for the new building they do not anticipate any parking problems. In response to a question if there would be rooftop mechanicals, Kris Capra stated that the units would be inside. She stated that they have had problems with people stealing the copper from mechanical units if they are accessible.

The Planner reported that TKDA and SEH have both provided a review of the Capra site. SEH raised a few concerns which are being resolved. The Zoning Certificate has been worded that approval would be subject to meeting engineering, environmental consultants and staff recommendations. The requirements are outlined in the Zoning Certificate.

**MINUTES
TOWN BOARD MEETING
FEBRUARY 21, 2018**

The Planner noted that Benson Park is in the northeast corner of Benson Airport. A trail, formal or semi-formal has been discussed. The Town's long range master plan shows tying a trail connection between one of the properties to Leibel Street. The mini storage development has provided a ten foot easement for a portion of the trail. Staff has requested Capra to consider a ten foot trail easement over the drainage and utility easement. This would provide a 20 foot corridor for a sod based trail. Capra has some concerns about a trail. Without the additional ten feet there would still be a ten foot corridor there. Prudhon asked if the drainage and utility easement is there now. The Planner stated that a ten foot drainage and utility easement is there now and suggestion is to add a ten foot trail easement in addition to the drainage and utility easement to provide a 20 foot corridor. Ruzek asked Kris Capra if they have a problem with a trail corridor as suggested. Kris Capra stated that they do not necessary have a problem with the request. They only heard about the ten foot trail easement yesterday and they have not had a chance to review it. They do not have a problem with people passing through that portion of their property but just want their attorney to review it because there are large trucks that go through that area and they need to know where the liability falls. They would not want a lot of people coming through at once because a business is operating there and there may be safety issues. Although it is on the west side of the building there would be a lot of employee parking there. In response to a question if they had considered installing a fence there, Kris Capra stated that there is a fence by the mini storage property but they do not plan to put a fence up. There is a fence by the outside storage area but not along the property line. The Planner stated that this is the last developed property and connection to the trail to Leibel Street would be good. The Town Attorney stated that if the Town installs a trail and maintains it, the liability would fall to the Town. The property owner who owns the underlying fee title is not liable for any act on the trail unless they commit the act. If the trail is constructed and the property owner performs some act that makes the trail unstable or unsafe they would be liable. As long as they do not do anything that adversely affects the trail they have no liability. If the trail is necessary for Town development it is a requirement that has to be met and the Town has every right to make that requirement as part of the Permitted Use Standards Permit. Once the easement is granted it is the Town's responsibility to develop and maintain the easement. The Planner reported that item #16 of the Permitted Use Standards Permit Requirement deals with the trail easement. That item will remain until another agreement regarding he trail is worked out.

Ruzek moved, based on Planning Commission and Staff review and recommendation to approve the issuance of a Permitted Use Standards Permit to Capra Utilities, Inc., 2320 Leibel Street, to allow construction of an 18,900 square foot office/warehouse building, and to adopt a Zoning Certificate subject to conditions from the Engineer, SEH and Staff and formal permit approval from Rice Creek Watershed District. Prudhon seconded. Ayes all.

LOCAL SURFACE WATER MANAGEMENT PLAN – AUTHORIZE UPDATE: The Town Engineer reported that the Township is required to update its Local Surface Water Management Plan. The Town's last prepared plan was in February 2013. The Town is included within two Watershed Management Organizations: Rice Creek Watershed District (RCWD) and Vadnais Lake Area Water Management Organization (VLAWMO). These two organizations take the primary role in surface water management with the Township. Both watersheds and the Met Council will need to review and approve the Town's Local Surface Water Management Plan

**MINUTES
TOWN BOARD MEETING
FEBRUARY 21, 2018**

update. RCWD previously requested that all Cities in their district sign up to submit their plans over a staggered submittal period. White Bear Township chose the latest date which is by July 31, 2018 for having a draft plan submitted. The LSWMP update needs to meet the requirements of the Minnesota Administrative Rule 8410 – Metropolitan Water Management, Minnesota State Statute 103B.235 – Local Water Management Plans, and any specific requirements by the two WMOs. TKDA is estimating a fee of \$34,700, but will work with the WMOs and Met Council particularly RCWD since they have their own additional requirements, to utilize any existing data they can provide that will reduce TKDA's efforts. Part of the LSWMP update requires the Town to address how it will handle inspection and maintenance of Town-owned storm water facilities, such as ponds, pipes, ditches, culverts, etc., going forward. As the Town develops and more of these facilities become the Town's responsibility, the Town may want to consider re-evaluating the Storm Water Utility fee so that it adequately funds these efforts.

Prudhon moved, based on Staff review and recommendation to direct the Town Engineer to prepare the update to the 2013 Local Surface Water Management Plan for an estimated fee not to exceed \$34,700 as required by MN Administrative Rules, State Statutes, Water Management Organizations and the Met Council with funding from the Storm Water Utility Fund. Ruzek seconded. Ayes all.

2018 STREET SWEEPING: 1) RECEIVE QUOTES; 2) APPROVE PEARSON BROTHERS, INC. QUOTE:

The Clerk reported that the Town had historically used Public Works resources (staff and equipment) for both spring and fall sweeping. The program uses one staff member to operate the sweeper and another to haul sweepings to Public Works and takes approximately three weeks to complete. This program uses 25% of the staffing available and the percentage is more if there are staff vacations factored in. The Public Works Director is recommending revising the Town's spring street sweeping program in order to ensure the streets are cleaned of organic matter in a timely fashion allowing staff to begin hydrant flushing and other necessary activities. Dependent on the number of sweepers contracted and the weather sweeping is estimated to be completed within 2-3 ten hour days using the Town dump trucks and staff to haul sweepings back to the Public Works yard. The sweeping would be loaded into dumpsters and hauled away by a sweeping contractor for disposal. The Town has received proposals from two street sweeping contractors: Allied Blacktopping for a total estimated cost for sweeping (sweeping: \$84.50/hr.; \$39.00 disposal fee (estimated 120 cubic yards for disposal) for an amount of \$19,890.00 and Pearson Brothers in the amount of \$19,860.00 (sweeping: \$87.00/hr.; \$35.00 disposal estimated 120 cubic yards).

Ruzek moved to receive the quotes from Allied Blacktopping & Pearson Brothers, Inc. for the 2018 Street Sweeping. Prudhon seconded. Ayes all.

Ruzek moved to approve the proposal from Pearson Brothers, Inc. for \$87.00 per hour per sweeper and the disposal fee of \$35.00 per cubic yard noting funding from the Storm Water Utility Fund.

ANIMAL SERVICES IMPOUND AGREEMENT: 1) APPROVE AGREEMENT WITH THE CITY OF SAINT PAUL; 2) AUTHORIZE EXECUTION ESTABLISHING BOARDING/IMPOUND FEE:

The Clerk reported that the Hillcrest Animal Hospital has decided to take the practice in a

MINUTES
TOWN BOARD MEETING
FEBRUARY 21, 2018

different direction and will no longer provide impound services. The Town's Animal Control Officer, Mario Lee, has contacted other potential impound facilities. The City of St. Paul offers services for impound services which is consistent with services needed. The Town Attorney reported that he has reviewed the Animal Services Impound Agreement with the City of St. Paul and that it is comparable with the Hillcrest agreement and acceptable.

Prudhon moved, based on Town Attorney & Staff review and recommendation to approve the Animal Services Impound Agreement with the City of St. Paul for one year and to authorize execution by the Town Board Chair and Town Clerk. Ruzek seconded. Ayes all.

Ruzek, moved to approve the Resolution Establishing the Amount of the Animal Board/Impoundment Fee in the Town of White Bear, in accordance with Ordinance No. 54 (Fees & Charges) which sets these fees by Resolution. Prudhon 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 7:59 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
March 5, 2018**

Agenda Number: 5A – Consent Agenda

Subject: White Bear Lake Sports Center – Approve the Connection to the Township’s Sewer System at the White Bear Lake Sports Center, 1328 Highway 96 East, & Waive the Payment of the Local Sewer Availability Charge

Documentation: None

Action / Motion for Consideration:

Receive Information / Discuss

Based on Staff Review Approve the Connection of the White Bear Lake Sports Center, 1328 Highway 96 East, White Bear Lake to the Township’s Sewer System & Waive the Payment of the Local Sewer Availability Charge

**Minutes
Executive Meeting
October 27, 2017**

CLERK-TREASURER REPORT: 1) WHITE BEAR LAKE SPORT CENTER: White Bear Lake Sport Center: One of the improvements of the proposed \$5.5 million project is to connect the south portion of the Sports Center to the Township sanitary sewer line in Birch Lake Boulevard South. The south portion is currently serviced by a small lift station which pumps wastewater north to the City sanitary sewer line on Highway 96. The City is requesting Township assistance with the renovation by allowing the connection and waiving the connection fee and the local sewer availability charge. The Met Council has not yet determined the number of SAC units required so the city is unable to provide a value to that waiver. They need to proceed with the request for planning purposes as project specifications are being finalized for bid. The Clerk reported that \$2.5 million has been committed to the city from the hockey association. After discussion it was the consensus that the Township is agreeable to allowing the connection and waiving the connection fee and the local sewer availability charge, contingent upon Township recognition and the White Bear Lake City Council’s approval of the project.



**Town Board Meeting
March 5, 2018**

Agenda Number: 5B – Consent Agenda

Subject: 5685 Portland – Authorize Town Attorney to Hire Appraiser to Review Town Appraisal for 5685 Portland Avenue

Documentation: None

Action / Motion for Consideration:

Receive Information / Discuss

Authorize Town Attorney to Hire Appraiser to Review Town Appraisal for 5685 Portland Avenue



**Town Board Meeting
March 5, 2018**

Agenda Number: 5C – Consent Agenda

**Subject: Employee Recognition Program Policy – Adopt to
Recognition Policy**

Documentation: Revised Policy

Action / Motion for Consideration:

Receive Information / Discuss

Based on Staff Review & Recommendation Adopt the Revised Employee
Recognition Program Policy

WHITE BEAR TOWNSHIP EMPLOYEE RECOGNITION PROGRAM POLICY

BACKGROUND

The Town Board adopted a Resolution for Implementation of an Employee Recognition Program on October 2, 2000. This resolution was adopted as a means to recognize the contributions and dedication of Township employees. The program was developed as a result of both employer and employees representatives' collaboration to promote a stable and professional work environment for its employees.

PURPOSE

The intent of this policy is to establish a program for recognizing years of service that employees have worked for White Bear Township.

POLICY

Township employees will be awarded the following service level awards, when they have reached the applicable five-year benchmark, at an annual recognition luncheon to be held in the fall of the year. The employees being recognized will also choose the menu for the luncheon.

5 years	Polo Shirt
10 years	\$25.00 Gift Certificate & Sweatshirt
15 years	\$25.00 Gift Certificate & Jacket
20 years	\$30.00 Gift Certificate & Watch or Clock up to \$125.00
25 years	\$100.00 Gift Certificate & Plaque
30 years	\$100.00 Gift Certificate & Extra Floating Holiday
35 years	\$100.00 Gift Certificate & \$50.00 Restaurant Gift Card

- All items are to have Town logo
- Gift certificates included as taxable income on W2

5 years	Coffee mug or glass with Town logo
10 years	\$25.00 Gift certificate & golf type shirt with Town logo
15 years	\$25.00 Gift certificate & sweatshirt with Town logo
20 years	\$30.00 Gift certificate & jacket with Town logo
25 years	\$50.00 Gift certificate & watch or clock with Town logo
30 years	\$50.00 Gift certificate & gold ring with Town logo
35 years	\$100.00 Gift certificate & \$50.00 restaurant gift certificate

In addition, the Town will purchase a Township plaque which will be displayed in the Town's administrative office with a gold plate engraved with employee's name and employment date.



**Town Board Meeting
March 5, 2018**

Agenda Number: 5D – Consent Agenda

Subject: Manitou Days Parade Participation –

- 1) Approve Participation & Payment of \$70.00 Entry Fee for 2018 Manitou Days Parade
- 2) Call Special Town Board Meeting for Friday, June 15, 2018, Beginning at 4:30 p.m.

Documentation: Parade Info & Application
Public Notice

Action / Motion for Consideration:

Receive Information / Discuss

- 1) Approve Township Participation & Payment of \$70.00 Entry Fee for 2018 Manitou Days Parade

and

- 2) Call Special Town Board Meeting for Friday, June 15, 2018, Beginning at 4:30 p.m.

2018 MANITOU DAYS GRANDE PARADE
THEME - ALL ABOARD BEARS
PARTICIPANT INFORMATION & APPLICATION

Welcome! We hope you will join us at the 2018 Manitou Days Grande Parade scheduled for **Friday, June 15th** in downtown White Bear Lake. The following information is for individuals, organizations and businesses who would like to participate. To join us, simply complete the following application and mail in with applicable **participation fee** to White Bear Events. The Manitou Days Parade is limited to the first **95** registered and paid entries. Parade assignments are determined based on the date your complete application **including participation fee**, is received by White Bear Events. **E-mail Questions to: manitoudaysparade@hotmail.com**

Parade Participant Rules

Our goal is to create a safe and fun event for everyone at the Manitou Days Grande Parade, participants and spectators alike. In order to achieve this goal, we have established parade rules intended to keep everyone safe at all times. **By signing and submitting the parade application, you are acknowledging that you have read, understand and agree to our participation rules, and that you have shared the information with everyone in your group.**

1. There will be **no smoking or alcohol** allowed on or within floats, parade vehicles or walking units. Fire or open flame on any unit is prohibited.
2. We strongly suggest that all decorative materials be fire resistant and encourage safety ropes or rails if passengers are aboard floats or open truck beds.
3. All drivers must possess a valid driver's license. Drivers must have 180-degree forward vision.
4. Vehicle horns or sirens must not be sounded. They prevent musical groups from being heard.
5. **For safety reasons, no participant may throw any item from a float or other unit in the Manitou Days Grande Parade.** Items include but are not limited to: beach balls, candy, water propelled from squirt guns, frisbees, etc. If you wish to distribute items to parade spectators, distribution must be made by persons handing out items while walking along the parade route as part of an officially registered entry.
6. The Manitou Days Grande Parade Committee and White Bear Events reserves the right to bar and/or remove from the parade at any time, any entrant not conforming to the rules and regulations of the parade, or refusing to follow the instructions of the White Bear Lake Police or parade officials.

Be careful at all times. The Manitou Days Parade Committee, White Bear Events and City of White Bear Lake collectively and individually disclaim any responsibility for accidents that may occur on June 15th in the staging area, while the parade is being lined up, in the parade line of march and at West Park. By signing and returning the application all parties in your group waive and release any claim against the Manitou Days Parade Committee, White Bear Events and City of White Bear Lake and any of their officers, directors, employees, contractors, agents volunteers or sponsors, for any personal injury, property damage or other damage sustained, whether or not caused in whole or in part by the negligence of such officers, directors, employees, contractors, agents and volunteers, which occurs during or as a result of participation in the Manitou Days Grand Parade on Friday, June 15, 2018.

Parade Participation Fee

ALL GROUPS MUST PAY A FEE to participate in the Manitou Days Grande Parade. Fees are structured base on your group entry type (ie non-profit and regular entry) and the date your application is received. The parade fee covers one group and one support vehicle. Additional vehicles are allowed for an additional cost of \$100 each. Parade application fees are non refundable. Payment options are cash or check payable to White Bear Events. **Registration Deadline is May 18, 2018. White Bear Events can not wave the parade fee for any group, nor do we accept trades of goods or services in exchange for the parade fee. Limited non-profit spaces are available, therefore, only local churches, organizations and youth orientated groups are eligible for this fee. POLITICAL ENTRIES DO NOT qualify for the non-profit rate. All applications are subject to Manitou Days Parade Committee approval.**

Parade Participant Information

Date:

Friday, June 15, 2018

Time:

The Parade will start at 6:30 pm rain or shine. Line-up times are staggered beginning at 4:30 p.m.

Distance:

The parade route is about one mile long. Line up space will add to the distance participants walk in the Parade.

Route:

The Manitou Days Grande Parade will begin on 2nd Street at Clark Avenue. The parade will travel down 3rd Street and turns north on Banning Avenue. The parade follows Banning Avenue for one block and turns east onto 4th Street. The parade travels down 4th Street to Lake Avenue. At Lake Avenue, the parade turns north and follows Lake Avenue to 11th Street/West Park. Parade units will disband in the side streets around West Park. The staging area for the line-up will take place on Clark Avenue, Lake Avenue and 1st Street and 2nd Street.

Line Up Information:

Parade orders including line-up information (which is your parade number and division assignment), staging location, special information and a map will be sent to all registered parade entries in early June. Information will also be posted online at <http://www.manitoudays.com>. The Parade order is based in part on date applications and fees are received. The size of your support vehicles may also play a part as we stage oversized transportation vehicles and heavy machinery towards the end of the parade. We are unable to accommodate special requests as many parade entries involve young children, the elderly or individuals with plans following the parade. Please make arrangements to communicate all line-up information to everyone in your group prior to the Manitou Days Grande Parade. Make sure that they know under which name your group is registered (Name of Unit as listed on the application).

Distribution of Promotional Items:

It is estimated that a minimum of 8,000 spectators venture into downtown White Bear Lake for the Manitou Days Grande Parade. Keep this number in mind as you plan the amount of candy and promotional items you wish to distribute. Please note that stickers, water guns and water balloons are **NOT** allowed. Please limit distribution of paper and handouts along the parade route. The Manitou Days Grande Parade Committee encourages participants to minimize paper and general waste that may wind up in city streets, in yards and in White Bear Lake.

Parking Information:

Highway 61 gets very busy the afternoon and evening of the Manitou Days Grande Parade. If possible, avoid travel on Highway 61. Consider using side streets or enter the downtown area from the north end of town. Look for parking spaces on the west side of Highway 61. We strongly suggest that you consider designating a location on the west side of Highway 61 to meet as a group. If you have been in our parade before, you know that line up space is at a premium, and often shares the road with residential traffic. Help us keep the line up area as safe as possible by telling everyone in your group to walk into the line up areas as the roads will be closed to all non-residential traffic. We are also counting on you to pass on all line-up information to your group such as your parade number and division. By doing so you are helping us to create a safe and enjoyable parade. Parade orders including line-up information will be mailed to you in early June and posted online at <http://www.manitoudays.com>

Application on following page.

2018 Manitou Days Grande Parade Application
Friday, June 15 - Rain or Shine! 6:30 pm - Downtown White Bear Lake
Theme - All Aboard Bears
 Application Deadline May 18 for Publication Purposes

of Entries Requested _____ **Type of Unit:** __Float __Novelty __Musical __Commercial __Other

Name of Unit (as it should appear in print): _____

Line-Up space is at a premium. **All groups will be given 20 feet for line-up.** Please let us know if additional space is requested. We will do our best to accommodate your request which may include moving your group farther back in the parade. Please note that if you do not request additional space and you show up at the parade needing more space, you will be directed to the end of the parade. Please request additional space if you think you may need it.

We would like to request an additional _____ feet of space for line-up. Vehicle Type (if applicable): _____

Business/Organization: _____

Contact: _____ E-mail: _____

Daytime Phone: _____ Evening: _____ Cell: _____

Address : _____

City: _____ State: _____ Zip: _____

I have read & agree with the Parade Participant Rules - Signature: _____

Please provide some commentary about your group for the Parade Emcee:

Parade Application Fee Scale/Schedule

The Manitou Days Parade is limited to 99 units. Each parade application fee covers one group and one support vehicle only. Additional vehicles are allowed at an additional cost of \$100 each. **Parade line-up assignments are determined by the date completed applications (including payment) are received by White Bear Events.** Early registrants will be placed in the front of the parade; those who register later and/or entries that include oversized vehicles or heavy machinery will be placed towards the end of the parade. Manitou Days Parade application fees are non-refundable. Payment options: Cash or Check payable to White Bear Events. Registration Deadline: May 18. All applications are subject to Manitou Days Parade Committee Approval.

<u>Application Received By:</u>	<u>March 31</u>	<u>April 30</u>	<u>May 18</u>
Regular Entries Fee	\$135	\$160	\$185
Non-Profit Entries Fee	\$70	\$ 80	\$ 90

White Bear Events can not waive the parade fee for any group, nor do we accept trades of goods or services in exchange for the parade fee. Only local churches/organizations and youth orientated groups are eligible for the non-profit rate. Political groups DO NOT qualify for the non-profit rate. Applications sent in with the incorrect fee will be returned.

TO REGISTER

Send completed and signed entry form along with payment to
White Bear Events
4707 Highway 61, #103 -White Bear Lake, MN 55110
QUESTIONS
 E-mail:manitoudaysparade@hotmail.com

FOR OFFICE USE ONLY:

DATE RECEIVED: _____

AMOUNT PAID: _____

UNIT NUMBER: _____

NOTES: _____



Public Notice

Special Town Board Meeting

Friday, June 15, 2018

**Beginning at
4:30**

**In the City of White Bear Lake
at the Parade Route**

- ◆ To Attend the Manitou Days Parade



**Town Board Meeting
March 5, 2018**

Agenda Number: 5E – Consent Agenda

Subject: Park Board Recommendations – Based on Park Board Recommendation Appoint Scott Lombardi as Chair & Selena Koster as Vice Chair of the Park Board for the Coming Year

Documentation: Commission List

Action / Motion for Consideration:

Receive Information / Discuss

Based on Park Board Recommendation Appoint Scott Lombardi as Chair & Selena Koster as Vice Chair of the Park Board for the Coming Year.

Minutes
Park Board Meeting
February 15, 2018

CHAIR / VICE CHAIR APPOINTMENTS: Chair: Koster moved to recommend to the Town Board to appoint Scott Lombardi as Chair of the Park Board for the coming year. Josephson seconded. Ayes all.

Vice Chair: Lombardi moved to recommend to the Town Board to appoint Selena Koster as Vice Chair of the Park Board for the coming year. Josephson seconded. Ayes all.

PARK BOARD

COMMISSIONER

Steve Ruzek
5529 Fisher Court
White Bear Township, MN 55110
651-247-3673
steve.ruzek@whitebeartownship.org

RECORDING SECRETARY

Joan Clemens
651-738-0921 (home) 612-618-0602 (cell)
goldendelta@comcast.net

ADVISOR

Tom Riedesel
651-747-2761 (office) 651-261-2706 (cell)
tom.riedesel@whitebeartownship.org

ADVISOR

Dale Reed, Public Works Director
651-747-2777 (office) 651-775-4295 (cell)
dale.reed@whitebeartownship.org

MEMBERS

Jason DeMoe
1403 Brandlwood Road
White Bear Township, MN 55110
651-331-8076 (cell) 763-233-0708 (work)
judemoe@gmail.com

Term Expires: April 30, 2018

Appointed: 1/3/2018

Erik Josephson
4188 Forest Court
White Bear Township, MN 55110
703-859-4054 (cell)
erjosephson@gmail.com

Term Expires: April 30, 2018

Appointed: 1/3/2018

Scott Lombardi (Chair)
5471 Franklin Ave
White Bear Township, MN 55110
651-274-1594 (cell)
scottlombardi81@gmail.com

Term Expires: April 30, 2018

Appointed: 3/2/15
Reappointed:

Patricia Lee
1737 Pioneer Lane
White Bear Township, MN 55110
651-426-3652 (home) 651-271-9941 (cell)
leepatricia1950@aol.com

Term Expires: April 30, 2019

Appointed: 7/16/01
Reappointed: 9/20/04, 2007, 4/19/10, 6/3/13,
6/6/16

Steve Reeves
5341 Cedarwood Court
White Bear Lake, MN 55110
651-755-6072 (cell)
reeves23@comcast.net

Term Expires: April 30, 2018

Appointed: 1/23/17 to fill unexpired term
Reappointed:

Salena Koster (Vice Chair)
3991 Lakewood Ave
White Bear Township, MN 55110
651-431-0326 (cell)
salena.koster@gmail.com

Term Expires: April 30, 2019

Appointed: 3/6/17 to fill unexpired term
Reappointed:

Vacant

Term Expires:

Appointed:
Reappointed:

E-mail Agenda to: jon.anderson@isd624.org



**Town Board Meeting
March 5, 2018**

Agenda Number: 6 – Old Business

Subject: 2340 Hoxie – Special Three Dog License – 6 Month Review

Documentation: Staff Memo w/attachments

Action / Motion for Consideration:

Receive Information

6-Month Review Requirement has been Satisfied

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

7:20 P.M. PUBLIC HEARING – SPECIAL THREE DOG LICENSE REQUEST AT 2340 HOXIE AVENUE: The Public Hearing was held at 7:29 p.m. Prudhon moved to waive the reading of Public Notice noting that proper publication was made. Ruzek seconded. Ayes all. Ruzek moved to open the Public Hearing. Prudhon seconded. Ayes all.

The Clerk reported that Laura Anderson & Robert Bland, 2340 Hoxie Avenue have applied for a Special Three Dog License. The applicants have followed the procedures and provided rabies certifications, licenses (which will be paid for and issued if the Special Three Dog License is approved), and application fee has been paid. The Animal Control Officer has provided an inspection report noting that there were four dogs and all showed no apparent signs of illness, had healthy coats and appeared healthy and there were three cats; dogs had access to clean potable water; sufficient quality food; enough leashes for each dog; access to main living area of 550 square feet; 2400 square foot natural grass yard enclosed with a 4' chain link fence; inside residence cozy with fair ventilation.

The Clerk reported that notice of the Public Hearing was sent to 42 neighbors within 350 feet of the applicant's home. One response was received from the resident at 2353 Gaston Avenue who stated that three dogs would be okay as long as they are restrained and not let run loose, don't bark and if the owner takes care of the yard. The Clerk noted that the Town has a three dog license but not a four dog license. The applicants have four dogs which needs to be addressed. He reported that notice was provided that the oldest of the dogs is elderly and if and when the older dog expires they will not add another.

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

Robert Bland, 2340 Hoxie Avenue, reported that the oldest dog is not in good health and they have made arrangements with Lake Animal Hospital to have the dog euthanized between September 1st and 3rd. He reported that the yard is kept free of dog feces. He reported that the dogs have bark control collars.

Bob Bernier, 2337 Hoxie Avenue stated that they live across the street from Bob Bland. His first concern is that the home at 2340 Hoxie Avenue is a small 480+ square foot building. He stated that he does not know how healthy it is with four dogs, three cats and two people living there. The dogs bark constantly. He cannot walk around his yard without the dogs barking. They bark continuously if he is outside and barks if someone walks down the road. The front gate at the backyard has boards against the fence to try to keep the little dog in. He stated that he feels that it is a disaster. He reported that Bob Bland had a three dog license and bought a fourth dog. Mr. Bernier stated that he has lived there for 40 years and should be able to have some peace and quiet. He stated that he does not care what dogs are there if the Township rules are followed.

Kermes asked Mr. Bland when he put the bark control collars on the dogs. Mr. Bland stated that they were bought two weeks ago. He stated that they keep the female pit bull on leash when people are around. Early in the morning or later in the evening she has off leash times to run around the yard. He reported the boards at the fence are a few pieces of plywood at the gap between his and his neighbor's fence. He reported that his dogs have never gone out of the yard and they have never bitten anyone. He stated that the dogs do not bark continuously. Kermes noted that barking is always an issue with neighbors. He reported that the Town Board can put additional conditions on the Special Three Dog License with terms to establish a probationary period. He suggested that may be a solution to allow Mr. Bland to get the bark control collars working successfully. Violation of the conditions could result in the license being rescinded. Ruzek recommended that a condition of the license be assurance that their will only be three dogs so that a precedence is not set for allowance of four dogs. Bob Bland stated that the oldest dog will be put to sleep early September. Kermes suggested having a six month probationary period to provide the applicant time to respond and comply to the conditions. He asked that when the oldest dog is taken in to the animal hospital to be put to sleep that Mr. Bland provide the document to the Town.

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

Prudhon moved, based on Staff review and recommendation to approve the request for the Special Three Dog License at 2340 Hoxie Avenue 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) this Special Three Dog License shall expire on March 31, 2020. Application for renewal shall be completed prior to that date; 6) 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) there will be a six month probationary period after which the barking will be reviewed;** 7) document of euthanasia provided to the Township early September 2017; 8) State, Federal and local laws and Ordinances shall be complied with. Noting that any concerns by neighbors regarding barking be provided to the Animal Control Officer by dialing 911 and identifying that the call is for Animal Control – this provides a record of the complaint. Ruzek seconded. Ayes all.

MEMORANDUM

TO: TOWN BOARD
FROM: PATTI WALSTAD
DATE: MARCH 1, 2018

SUBJECT: SPECIAL THREE DOG LICENSE – 2340 HOXIE

In accordance with Requirement No. 5 of the Special Three Dog License issued to Robert Bland and Laura Anderson on August 28, 2018, a six-month review of barking issues was required.

I contacted Mario Lee, Animal Control, and he stated that he has not received any complaints attributed to this address since the 3 dog license inspection in August of 2017.

In addition, no complaints have been received at the Township Offices.

Special Three License Requirements

Laura Anderson & Robert Bland
2340 Hoxie Avenue
White Bear Township, MN 55110

1. This Special Three Dog License shall be limited to the dogs currently residing at the home. (Documentation has been received of the euthanasia of Steaksause.)
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. There shall be a six (6) month probationary period after which time the barking issue shall be reviewed by the Town Board.
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. Noting that any concerns by neighbors regarding barking be provided to the Animal Control officer by dialing 911 & identifying that the call is for Animal Control.



**Town Board Meeting
March 5, 2018**

Agenda Number: 7A – New Business

Subject: 7:10 p.m. Public Hearing - Cambridge Downs – Continue Request for a Major Subdivision & a Conditional Use Permit for a Planned Unit Development Between Peterson Road & Centerville Road to Monday, April 2, 2018 Beginning @ 7:10 p.m.

Documentation: Public Notice
Resident Letter Noting Continuation
Mailing List / Affidavit of Publication

Action / Motion for Consideration:

Town Planner Report at Meeting / Discussion

- Note Proper Publication of Hearing Notice in Newspaper & Waive Reading of Notice
- Open Public Hearing
- Open Public Comment Portion – Ask for Comments
- Continue Public Hearing to Monday, April 2, 2018, Beginning @ 7:10 p.m. at Heritage Hall, 4200 Otter Lake Road, to Allow for Further Review by the Planning Commission at Their March 22, 2018 Meeting



PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, That the Town Board of Supervisors of the Town of White Bear, Minnesota, will meet at Heritage Hall, 4200 Otter Lake Road, in said Town on Monday, March 5, 2018, beginning at 7:10 p.m., to consider the following requests:

Major Subdivision
Conditional Use Permit for a Planned Unit Development

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

All that part of the S $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 4, Township 30, Range 22, Ramsey County, Minnesota, lying west of the center line of Peterson Road, except the following described property: Beginning at a point on the west line of the SE $\frac{1}{4}$ of said Section 4, distant 220 feet south of the NW corner of S $\frac{1}{2}$ of the S $\frac{1}{2}$ of said SE $\frac{1}{4}$: thence east along a line drawn parallel with the north line of said S $\frac{1}{2}$, S $\frac{1}{2}$, SE $\frac{1}{4}$, a distance of 1155.59 feet; thence northeasterly a distance of 221.05 feet to point on the north line of said S $\frac{1}{2}$, S $\frac{1}{2}$, SE $\frac{1}{4}$, which point is located 1182.02 feet east of the NW corner of said S $\frac{1}{2}$, S $\frac{1}{2}$, SE $\frac{1}{4}$; thence west along said north line a distance of 1182.02 feet to the NW corner of said S $\frac{1}{2}$, S $\frac{1}{2}$, SE $\frac{1}{4}$; thence south along the west line of said S $\frac{1}{2}$, S $\frac{1}{2}$, SE $\frac{1}{4}$ a distance of 220 feet to the point of beginning,

together with:

All that part of the N $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 9, Township 30, Range 22, Ramsey County, MN., lying west of the centerline of Peterson Road; excepting therefrom that part of thereof conveyed to Ramsey County by Quit Claim Deed filed November 8, 1912, as Document Number 431002, described as follows: A strip of land on the north side of Section 9, 16.5 feet wide on either side of Old Centerville Road; thence south along the centerline of said road a distance of 660 feet to the land of Oliver LeMay.

(Vacant property between Peterson Road & Centerville Road)

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

Given under my hand this 5th day of February, 2018.

BY ORDER OF THE TOWN BOARD OF SUPERVISORS


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

February 20, 2018

Dear Interested Property Owner:

Enclosed for your information is a Public Hearing Notice pertaining to a major subdivision request and conditional use permit for the property owned by the North Oaks Company located between Peterson Road and Centerville Road.

The owners are proposing to subdivide their 27 acre parcel of land into 29 single family home lots.

The Public Hearing on this matter has been scheduled for Monday, March 5th, beginning at 7:10 p.m., **however, the hearing will be CONTINUED to Monday, April 2, 2018 beginning at 7:10 p.m. at Heritage Hall, 4200 Otter Lake Road.**

The Township Planning Commission will also review the proposal at their March 22nd meeting. The Planning Commission meeting will be held at 6:30 p.m. at the Town Offices, 1281 Hammond Road. You are welcome to attend all meetings related to this development proposal.

If you have any questions or concerns please plan on attending the hearing and/or the Planning Commission meeting. If you are unable to attend and would like additional information you may contact Tom Riedesel, Planner, at 651.747.2761 or via e-mail at tom.riedesel@whitebeartownship.org.

Sincerely,

Patti Walstad
Paralegal

Peterson Road Residents – A neighborhood meeting has been scheduled to discuss upgrades to Peterson Road and extension of sewer and water to homes not currently served. The neighborhood meeting will be held on February 27th at 6:30 p.m. at the Town Offices, 1281 Hammond.



recycled paper

Mailing List – Cambridge Downs

North Oaks Company
5959 Centerville Road

City of North Oaks
100 Village Center Drive #150

1139 County Road H-2
1165 County Road H-2

5398 Centerville Road
5400 Centerville Road
5440 Centerville Road

5606 Centerville Road
1095 Anderson Lane
1107 Anderson Lane
1117 Anderson Lane
1131 Anderson Lane
1141 Anderson Lane
1155 Anderson Lane
1165 Anderson Lane
1086 Anderson Lane
1094 Anderson Lane
1106 Anderson Lane
1114 Anderson Lane
1130 Anderson Lane
1140 Anderson Lane
1156 Anderson Lane
1170 Anderson Lane

5402 Provence Lane
5404 Provence Lane
5405 Provence Lane
5407 Provence Lane
5412 Provence Lane
5414 Provence Lane
5415 Provence Lane
5417 Provence Lane
5422 Provence Lane
5424 Provence Lane
5425 Provence Lane

5427 Provence Lane
5431 Provence Lane
5433 Provence Lane
5439 Provence Lane
5441 Provence Lane
5445 Provence Lane
5447 Provence Lane

5425 Peterson Road
5435 Peterson Road
5441 Peterson Road
5451 Peterson Road
5470 Peterson Road
5474 Peterson Road
5530 Peterson Road
5566 Peterson Road
5571 Peterson Road
Pullen – 6409 Inner Drive
Madison WI

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 21st day of February, 2018.

- 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 \$ 16.55/inch

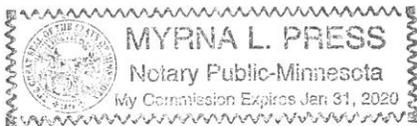
- 5. Mortgage Foreclosure Notices. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in Ramsey County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the 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 21st day of February, 2018.

[Signature]
Notary Public



WHITE BEAR TOWNSHIP PUBLIC NOTICE
NOTICE IS HEREBY GIVEN, That the Town Board of Supervisors of the Town of White Bear, Minnesota, will meet at Heritage Hall, 4200 Otter Lake Road, in said Town on Monday, March 5, 2018, beginning at 7:10 p.m., to consider the following requests:
Major Subdivision
Conditional Use Permit for a Planned Unit Development
pertaining to the following described property lying and being in the Town of White Bear, Ramsey County, Minnesota:
All that part of the S 1/4 of the SE 1/4 of Section 4, Township 30, Range 22, Ramsey County, Minnesota, lying west of the center line of Peterson Road, except the following described property: Beginning at a point on the west line of the SE 1/4 of said Section 4, distant 220 feet south of the NW corner of S 1/2 of the S 1/2 of said SE 1/4: thence east along a line drawn parallel with the north line of said S 1/2, S 1/2, SE 1/4, a distance of 1155.59 feet; thence northeasterly a distance of 221.05 feet to point on the north line of said S 1/2, S 1/2, SE 1/4, which point is located 1182.02 feet east of the NW corner of said S 1/2, S 1/2, SE 1/4; thence west along said north line a distance of 1182.02 feet to the NW corner of said S 1/2, S 1/2, SE 1/4; thence south along the west line of said S 1/2, S 1/2, SE 1/4 a distance of 220 feet to the point of beginning,
together with:
All that part of the N 1/4 of the NE 1/4 of Section 9, Township 30, Range 22, Ramsey County, MN., lying west of the centerline of Peterson Road; excepting therefrom that part thereof conveyed to Ramsey County by Quit Claim Deed filed November 8, 1912, as Document Number 431002, described as follows: A strip of land on the north side of Section 9, 16.5 feet wide on either side of Old Centerville Road; thence south along the centerline of said road a distance of 660 feet to the land of Oliver LeMay.
(Vacant property between Peterson Road & Centerville Road)
and to pass upon objections and recommendations, if any, and to conduct any and all business incident thereto.
Given under my hand this 5th day of February, 2018.
BY ORDER OF THE TOWN BOARD OF SUPERVISORS
WILLIAM F. SHORT, Clerk-Treasurer
Published one time in the White Bear Press on February 21, 2018.



**Town Board Meeting
March 5, 2018**

Agenda Number: 7B – New Business

Subject: Nathan Landucci, 5508 West Bald Eagle Boulevard -
Continue the Following Requests: Zoning Ordinance
Amendment; Lakeshore & Right-of-Way Setback Variances;
Conditional Use Permit for Guest Cottage to Monday, April 2,
2018 Beginning @ 7:20 p.m.

Documentation: Public Notice
Resident Letter Noting Continuation
Mailing List / Affidavit of Publication

Action / Motion for Consideration:

Town Planner Report at Meeting/ Discussion

- Note Proper Publication of Hearing Notice in Newspaper & Waive Reading of Notice
- Open Public Hearing
- Open Public Comment Portion – Ask for Comments
- Continue Public Hearing to Monday, April 2, 2018, Beginning @ 7:20 p.m. at Heritage Hall, 4200 Otter Lake Road, to Allow for Further Review by the Planning Commission at Their March 22, 2018 Meeting



PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, That the Town Board of Supervisors of the Town of White Bear, Minnesota, will meet at Heritage Hall, 4200 Otter Lake Road, in said Town on Monday, March 5, 2018, beginning at 7:20 p.m., to consider the following requests:

Amendment of Ordinance No. 35, Section 6-5
17'-23' Lakeshore Setback Variance
30'-35' Right-of-way Setback Variance
Conditional Use Permit Request for a Guest Cottage

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

That part lying easterly of Bald Eagle Boulevard West of the following described line: Except the North 25 feet; Lot 24, and the North ½ of Lot 23.

(5508 West Bald Eagle Boulevard)

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

Given under my hand this 5th day of February, 2018.

BY ORDER OF THE TOWN BOARD OF SUPERVISORS

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

WILLIAM F. SHORT, Clerk-Treasurer



WHITE BEAR TOWNSHIP

1858
RAMSEY COUNTY
MINNESOTA

1281 HAMMOND ROAD
WHITE BEAR TOWNSHIP, MN 55110

651-747-2750

FAX 651-426-2258

Email: wbt@whitebeartownship.org

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

February 27, 2018

Resident
White Bear Township, Minnesota 55110

Dear Interested Property Owner:

Enclosed for your information is a Public Hearing Notice pertaining to an application by the owner of Bald Eagle Island for the following:

- 17'-23' Lakeshore Setback Variance
- 30'-35' Right-of-Way Setback Variance
- Conditional Use Permit Request for a Guest Cottage
- Amendment of Ordinance No. 35, Section 6-5 – to eliminate "Commercial/residential recording & film post production studio with a single family dwelling" from the list of Conditional Uses in the BEI Zoning District

The owner of the island and garage lot is proposing to reconstruct the existing garage located at 5508 West Bald Eagle Boulevard, and would like to add a sleeping/temporary refuge area, considered a guest cottage, in the new garage which would permit an overnight stay when weather limits access to the island.

The Public Hearing was scheduled for Monday, March 5th, beginning at 7:20 p.m., **however, the hearing will be CONTINUED to Monday, April 2, 2018, beginning at 7:20 p.m. at Heritage Hall, 4200 Otter Lake Road.**

If you have any questions or concerns please plan on attending the hearing. If you are unable to attend and would like to comment please contact Tom Riedesel, Planner, at 651.747.2761 or via email at tom.riedesel@whitebeartownship.org.

Sincerely,

Patti Walstad

Paralegal

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



recycled paper

TOWNSHIP RESIDENT
5636 BALD EAGLE BLVD WEST
WHITE BEAR TOWNSHIP MN 55110

TOWNSHIP RESIDENT
5550 BALD EAGLE BLVD WEST
WHITE BEAR TOWNSHIP MN 55110

TOWNSHIP RESIDENT
5630 BALD EAGLE BLVD WEST
WHITE BEAR TOWNSHIP MN 55110

TOWNSHIP RESIDENT
5538 BALD EAGLE BLVD WEST
WHITE BEAR TOWNSHIP MN 55110

TOWNSHIP RESIDENT
5626 BALD EAGLE BLVD WEST
WHITE BEAR TOWNSHIP MN 55110

TOWNSHIP RESIDENT
5530 BALD EAGLE BLVD WEST
WHITE BEAR TOWNSHIP MN 55110

TOWNSHIP RESIDENT
5616 BALD EAGLE BLVD WEST
WHITE BEAR TOWNSHIP MN 55110

TOWNSHIP RESIDENT
5522 BALD EAGLE BLVD WEST
WHITE BEAR TOWNSHIP MN 55110

TOWNSHIP RESIDENT
5610 BALD EAGLE BLVD WEST
WHITE BEAR TOWNSHIP MN 55110

TOWNSHIP RESIDENT
5515 BALD EAGLE BLVD WEST
WHITE BEAR TOWNSHIP MN 55110

TOWNSHIP RESIDENT
5590 BALD EAGLE BLVD WEST
WHITE BEAR TOWNSHIP MN 55110

TOWNSHIP RESIDENT
5510 BALD EAGLE BLVD WEST
WHITE BEAR TOWNSHIP MN 55110

TOWNSHIP RESIDENT
5578 BALD EAGLE BLVD WEST
WHITE BEAR TOWNSHIP MN 55110

TOWNSHIP RESIDENT
5505 BALD EAGLE BLVD WEST
WHITE BEAR TOWNSHIP MN 55110

TOWNSHIP RESIDENT
5564 BALD EAGLE BLVD WEST
WHITE BEAR TOWNSHIP MN 55110

TOWNSHIP RESIDENT
5485 BALD EAGLE BLVD WEST
WHITE BEAR TOWNSHIP MN 55110

TOWNSHIP RESIDENT
5560 BALD EAGLE BLVD WEST
WHITE BEAR TOWNSHIP MN 55110

TOWNSHIP RESIDENT
5477 BALD EAGLE BLVD WEST
WHITE BEAR TOWNSHIP MN 55110

TOWNSHIP RESIDENT
5552 BALD EAGLE BLVD WEST
WHITE BEAR TOWNSHIP MN 55110

TOWNSHIP RESIDENT
5469 BALD EAGLE BLVD WEST
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5461 BALD EAGLE BLVD WEST
WHITE BEAR TOWNSHIP MN 5

BALD EAGLE AREA ASSOCIATION
4707 HIGHWAY 61 BOX 112
WHITE BEAR LAKE MN 55110

RESIDENT
5449 BALD EAGLE BLVD WEST
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5447 BALD EAGLE BLVD WEST
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5443 BALD EAGLE BLVD WEST
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5437 BALD EAGLE BLVD WEST
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5435 BALD EAGLE BLVD WEST
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5429 BALD EAGLE BLVD WEST
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5421 BALD EAGLE BLVD WEST
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5415 BALD EAGLE BLVD WEST
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5405 BALD EAGLE BLVD WEST
WHITE BEAR TOWNSHIP MN 55110

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 21st day of February, 2018.

- 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 \$ 16.55/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.

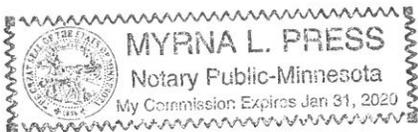
FURTHER YOUR AFFIANT SAITH NOT.

BY: [Signature]
TITLE: Carter Johnson, Publisher

Subscribed and sworn to before me on this 21st day of February, 2018.

[Signature]
Notary Public

WHITE BEAR TOWNSHIP PUBLIC NOTICE
NOTICE IS HEREBY GIVEN, That the Town Board of Supervisors of the Town of White Bear, Minnesota, will meet at Heritage Hall, 4200 Otter Lake Road, in said Town on Monday, March 5, 2018, beginning at 7:20 p.m., to consider the following requests:
Amendment of Ordinance No. 35, Section 6-5
17'-23' Lakeshore Setback Variance
30'-35' Right-of-way Setback Variance
Conditional Use Permit Request for a Guest Cottage
pertaining to the following described property lying and being in the Town of White Bear, Ramsey County, Minnesota:
That part lying easterly of Bald Eagle Boulevard West of the following described line: Except the North 25 feet; Lot 24, and the North 1/2 of Lot 23. (5508 West Bald Eagle Boulevard)
and to pass upon objections and recommendations, if any, and to conduct any and all business incident thereto.
Given under my hand this 5th day of February, 2018.
BY ORDER OF THE TOWN BOARD OF SUPERVISORS
WILLIAM F. SHORT, Clerk-Treasurer
Published one time in the White Bear Press on February 21, 2018.





**Town Board Meeting
March 5, 2018**

Agenda Number: 7C – New Business

Town Planner Item:

Subject: Vickie Baker, 5428 East Bald Eagle Boulevard – Request for a 15' Right-of-Way Setback Variance; a 9.7% Green Area Variance; a 364' Garage Area Variance to Allow Construction of a New Home

Documentation: Town Planner Memo /
Variance Application & Maps
Plans

Action / Motion for Consideration:

Town Engineer Report at Meeting / Discussion

Based on Variance Board, Planning Commission & Staff Review & Recommendation Approve the Request for a 15' Right-of-Way Setback Variance; a 9.7% Green Area Variance; a 364' Garage Area Variance to Allow Construction of a New Home @ 5428 East Bald Eagle Boulevard

Minutes
Planning Commission Meeting
February 22, 2018

VICKIE BAKER, 5428 EAST BALD EAGLE BOULEVARD – REQUEST FOR A 15' RIGHT-OF-WAY SETBACK VARIANCE; A 9.7% GREEN AREA VARIANCE; A 364' GARAGE AREA VARIANCE TO ALLOW CONSTRUCTION OF A NEW HOME: The Planner reported that Ms. Baker is requesting approval of a 16.7% right-of-way setback variance and a 9.7% green area variance to allow construction of a new home at 5428 East Bald Eagle Boulevard. Jim Baker, the contractor, informed the Variance Board that the plan has been modified. The deck proposed for the right-of-way side of the home has been reduced by 1.5' to create a 20' setback from the right-of-way (requiring a 15' setback variance). The home is proposed to be a 2 story structure with a footprint of 1,693 square feet, which includes a 572 square foot attached garage, 22' x 26' in size. The existing garage/accessory structure is proposed to be retained as the new home was designed without a basement due to

drainage and high water table concerns. The existing home has a slightly larger footprint than the proposed home. The lot area is 9,402 square feet, including both the home lot and the lakeshore lot between East Bald Eagle Boulevard and Bald Eagle Lake. The lot is 68.45' wide. The lot is considered an undersized lot of record. The home is proposed to be set back 20' from the East Bald Eagle Boulevard right-of-way to a second story deck, 10' from the south side lot line, 22.7' from the north side lot line and 38' from the alley at the rear of the lot. The existing garage on the property which is 733 square feet in area is planned to be retained. The coverage over the lot is proposed to be 3,264 square feet or 34.7% of the lot.

The existing home is proposed to be demolished and replaced with the new home. The existing home is located 26.2' from the right-of-way. The new home is proposed to be set back 29.1' from the right-of-way measured from the front face of the building. The proposed garage is 572 square feet in area. A 362 square foot garage area variance is requested.

This property is impacted by Ramsey County's plans to center the road within the right-of-way and give up rights to any public right-of-way beyond 66' as centered on the road.

If additional right-of-way is released to this property as shown on the County's right-of-way map, approximately 1,455 square feet could be added to the lot area. This would create a lot approximately 10,857 square feet in area which would permit 1,086 square feet of garage and accessory structure. With a total of 1,305 square feet of garage and accessory structure being proposed, a 219 square foot variance must be approved.

Vacation of a portion of the East Bald Eagle Boulevard as shown on the Ramsey County right-of-way map has been approved for several properties along East and West Bald Eagle Boulevards and would create a larger lot and a greater setback from the East Bald Eagle Boulevard right-of-way. This would create a right-of-way setback which exceeds the 35' right-of-way setback requirement. Staff recommends that the applicant apply for a vacation of the excess right-of-way along East Bald Eagle Boulevard in order to eliminate the need for a right-of-way setback variance. The requested setback variance may be approved subject to this requirement.

Staff recommends approval of a 1.2% green area variance requiring the applicant to request vacation of excess right-of-way and that the newly proposed driveway will utilize pavers which will reduce the green area variance requested so it is consistent with other green area variances approved by the Town. With vacation of a portion of the East Bald Eagle Boulevard right-of-way, a 219 square foot garage area variance must be approved.

The Variance Board reviewed the requests and recommended to the Planning Commission to recommend to the Town Board to approve a 15' right-of-way setback variance due to the excess right-of-way along East Bald Eagle Boulevard, the proposed home will be set back further from the right-of-way than the existing home, the location of the home as proposed is consistent with the neighboring homes and the neighborhood, and meets the standards set forth by the Zoning Ordinance to approve a variance. The Variance Board also recommends approval of the green area variance and garage size variance noting that the proposed new double garage is minimum sized (22') and the existing detached garage is in good condition and subject to the property owner replacing the proposed concrete driveway with impervious pavers and removal of a portion of the pavement near the alley upon review and approval of the Building Inspector after review by the Town's Public Works department.

The following variances are requested; 1) 15' right-of-way variance from the East Bald Eagle Boulevard right-of-way; 2) a 9.7% green area variance; and 3) a 364 square foot garage area variance.

Kotilinek moved, based on Variance Board review and recommendation to recommend to the Town Board to approve a 15' right-of-way variance from the East Bald Eagle Boulevard right-

of-way; a 9.7% green area variance; and a 364 square foot garage area variance to allow construction of a new home. Swisher seconded. Ayes all.

Minutes
Variance Board Meeting
February 14, 2018

VICKIE BAKER – Request for 16.6’ Right-of-Way Setback Variance, a 9.7% Green Area Variance and a 364 Square Foot Garage/Accessory Building Size Variance to Allow Construction of a New Home with Attached Garage at 5428 East Bald Eagle Boulevard: Jim Baker informed the Variance Board that the plan has been modified, the deck proposed for the right-of-way side of the home has been reduced by 1.5’ to create a 20’ setback from the right-of-way (requiring a 15’ setback variance).

Riedesel summarized the request to construct a new home on the property at 5428 East Bald Eagle Boulevard. Three variances are requested including a 20’ right-of-way setback variance, a 9.7% green area variance, and a 364 square foot garage size variance.

The new home is proposed to have an attached 22’ x 26’ garage. The existing garage/accessory structure is proposed to be retained as the home was designed without a basement due to drainage and high water table concerns.

After describing the requested variances, Riedesel noted that the home location was proposed so it will line up with existing homes on either side of the Baker property. He also noted that Ramsey County approached the Town several years ago with a map of East and West Bald Eagle Boulevards showing the County retaining a 66’ wide right-of-way centered on the current location of the road surface. The County has given the Town the authority to vacate excess portions of the right-of-way. If Ms. Baker were to request vacation of the excess portion of the right-of-way, approximately 21’-25’ of public right-of-way would be vacated to her lot adding to the setback from the right-of-way. With this vacation, no right-of-way variance would be necessary.

The Variance Board discussed the 9.7% green area variance request. Mr. Baker explained that the plan will be modified to use pervious pavers where a concrete driveway is proposed. By doing this, 410 square feet of hard surface would be subtracted from the green area calculations. The Variance Board also discussed the impact of the vacation of excess County right-of-way on East Bald Eagle Boulevard. It was determined that with the use of pavers and with the vacation of excess right-of-way, at 1.2% green area variance would be needed.

The Variance Board discussed access to the lot from the alley and related snow storage. The Variance Board discussed requiring the applicant to remove additional pavement along the alley in order to create more green space. The Variance Board questioned whether removal of additional pavement in this area could negatively impact snow storage in the alley.

Short moved to recommend to the Planning Commission to recommend to the Town Board to approve a 15’ right-of-way setback variance due to the excess right-of-way along East Bald Eagle Boulevard, the proposed home will be set back further from the right-of-way than the existing home, the location of the home as proposed is consistent with the neighboring homes and the neighborhood, and meets the standards set forth by the Zoning Ordinance to approve a variance. Johnson seconded. Ayes all.

Short moved to recommend to the Planning Commission to recommend to the Town Board to approve the green area variance and garage size variance noting that the proposed new double garage is minimum size (22’) and the existing detached garage is in good condition and subject to the property owner replacing the proposed concrete driveway with impervious pavers and

removal of a portion of the pavement near the alley upon review and approval of the Building Inspector after review by the Town's Public Works Department. Johnson seconded. Ayes all.



**Town Board Meeting
March 5, 2018**

Agenda Number: 7D – New Business

Public Works Director Item:

Subject: Polar Lakes Park – Approve White Bear Lake School District 624's Ballfield Preparation/Maintenance Proposal for 2018

Documentation: Public Works Director Correspondence w/attachments

Action / Motion for Consideration:

Report at Meeting / Discuss

Based on Public Works Director Review & Recommendation Approve the White Bear Lake School District 624's Proposal to Provide Field Maintenance Services for the 2018 Season for \$8,000, With Funding from the Parks Operating Budget Under Contractual Services

MEMORANDUM

TO: VARIANCE BOARD
FROM: TOM RIEDESEL
DATE: FEBRUARY 12, 2018

SUBJECT: NEW HOME CONSTRUCTION

REQUEST: 16.6' RIGHT-OF-WAY SETBACK VARIANCE
9.7% GREEN AREA VARIANCE
364' GARAGE AREA VARIANCE

LOCATION: 5428 EAST BALD EAGLE BOULEVARD
APPLICANT: VICKIE BAKER

Ms. Baker is requesting approving of a 16.7' right-of-way setback variance and a 9.7% green area variance to allow construction of a new home at 5428 East Bald Eagle Boulevard. The home is proposed to be a 2 story structure with a footprint of 1,693 square feet, which includes a 572 square foot attached garage. The existing home has a slightly larger footprint than the proposed home.

The lot area is 9,402 square feet, including both the home lot and the lakeshore lot between East Bald Eagle Boulevard and Bald Eagle Lake. The lot is 68.45' wide. The lot is considered an undersized lot of record.

The home is proposed to be set back 18.4' from the East Bald Eagle Boulevard right-of-way to a second story deck, 10' from the south side lot line, 22.7' from the north side lot line and 38' from the alley at the rear of the lot.

The existing garage on the property which is 733 square feet in area is planned to be retained. The coverage over the lot is proposed to be 3,264 square feet or 34.7% of the lot. The following variances are requested:

- A. 16.6' right-of-way setback variance from the East Bald Eagle Boulevard right-of-way.
- B. A 9.7% green area variance.
- C. A 364 square foot garage area variance.

Right-of-Way Variance:

The existing home is proposed to be demolished and replaced with the proposed home. The existing home is located 26.2' from the right-of-way. The new home is proposed to be set back 29.1' from the right-of-way measured from the front face of the building. A

proposed garage is 572 square feet in area. A 362 square foot garage area variance is requested.

If the additional right-of-way is released to this property, approximately 1,455 square feet could be added to the lot area. This would create a lot approximately 10,860 square feet in area which would permit 1,086 square feet of garage and accessory structure. With a total of 1,305 square feet of garage and accessory structure being proposed, a 219 square foot variance must be approved.

Vacation of a portion of East Bald Eagle Boulevard as shown on the Ramsey County right-of-way map has been approved for several properties along East and West Bald Eagle Boulevards and would create a larger lot and a greater setback from the East Bald Eagle Boulevard right-of-way. This would create a right-of-way setback which exceeds the 35' right-of-way setback requirement.

Right-of-Way Setback Variance:

Staff recommends that the applicant apply for a vacation of the excess right-of-way along East Bald Eagle Boulevard, in order to eliminate the need for a right-of-way setback variance. The requested setback variance may be approved, subject to this requirement.

Green Area Variance:

Staff recommends approval of a 1.2% green area variance requiring the applicant to request vacation of excess right-of-way and that the newly proposed driveway will utilize pavers which will reduce the green area variance requested so it is consistent with other green area variances approved by the Town.

Garage/Accessory Building Square Footage Variance: With vacation of a portion of the East Bald Eagle Boulevard right-of-way, a 219 square foot garage area variance must be approved. It is recommended that the Variance Board discuss reduction of the garage area to reduce the green area variance.

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



VARIANCE APPLICATION FORM

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

INTRODUCTION

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

Fee \$225

APPLICANT(S) Vickie Baker PHONE (Home) _____
 (Business) _____
 (Cell) 651-271-7248

ADDRESS 5428 Bald eagle
Blvd. East

PROPERTY OWNER Vickie Baker

ADDRESS OF SITE 5428 Bald eagle Blvd East ZONING Single family

EXISTING USE OF SITE Home

DESCRIPTION OF VARIANCE REQUEST Setback

SETBACKS:	Required	Existing	Requested
Lake-Front Yard	<u>35</u>	_____	<u>18.4 to Deck</u>
Side Yard	_____	_____	_____
Side Yard	_____	_____	_____
Rear Yard	_____	_____	_____
Other (Specify)	_____	_____	_____

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

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

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

Vicki M Bates

2/8/18

*Signature of Applicant(s)

Date

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

To Be Completed By Office:

Date Request Received 2/9/18

By [Signature]
(Staff Member)

\$225.00 Fee Received

Yes
 No

Date Application Complete 2/9/18

STATEMENT OF AFFECTED PROPERTY OWNERS

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

I am the owner of the property at: 5428 Bald Eagle Blvd East I am requesting that the Town of White Bear grant me a variance from Ordinance No. _____, for the following purpose:

Setback

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

PROPERTY OWNERS

1. Name: Joan + Mark McCormick Address: 5432 Bald Eagle Blvd East
 Phone: (Home) 651-653-1716
 (Bus.) _____
 (Cell) 651-303-6565

Comments: _____

Date: 2/12/2018 Signatures: Joan McCormick | Mark McCormick

2. Name: Kathy + Brad Hawks Address: 5422 Bald Eagle Blvd E
 Phone: (Home) 651-331-6379
 (Bus.) _____
 (Cell) _____

Comments: We should look into digging the drainage ditch deeper to accomodate run-off. It has filled in over the years.

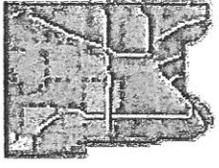
Date: 2-12-2018 Signatures: Kathy | Brad

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

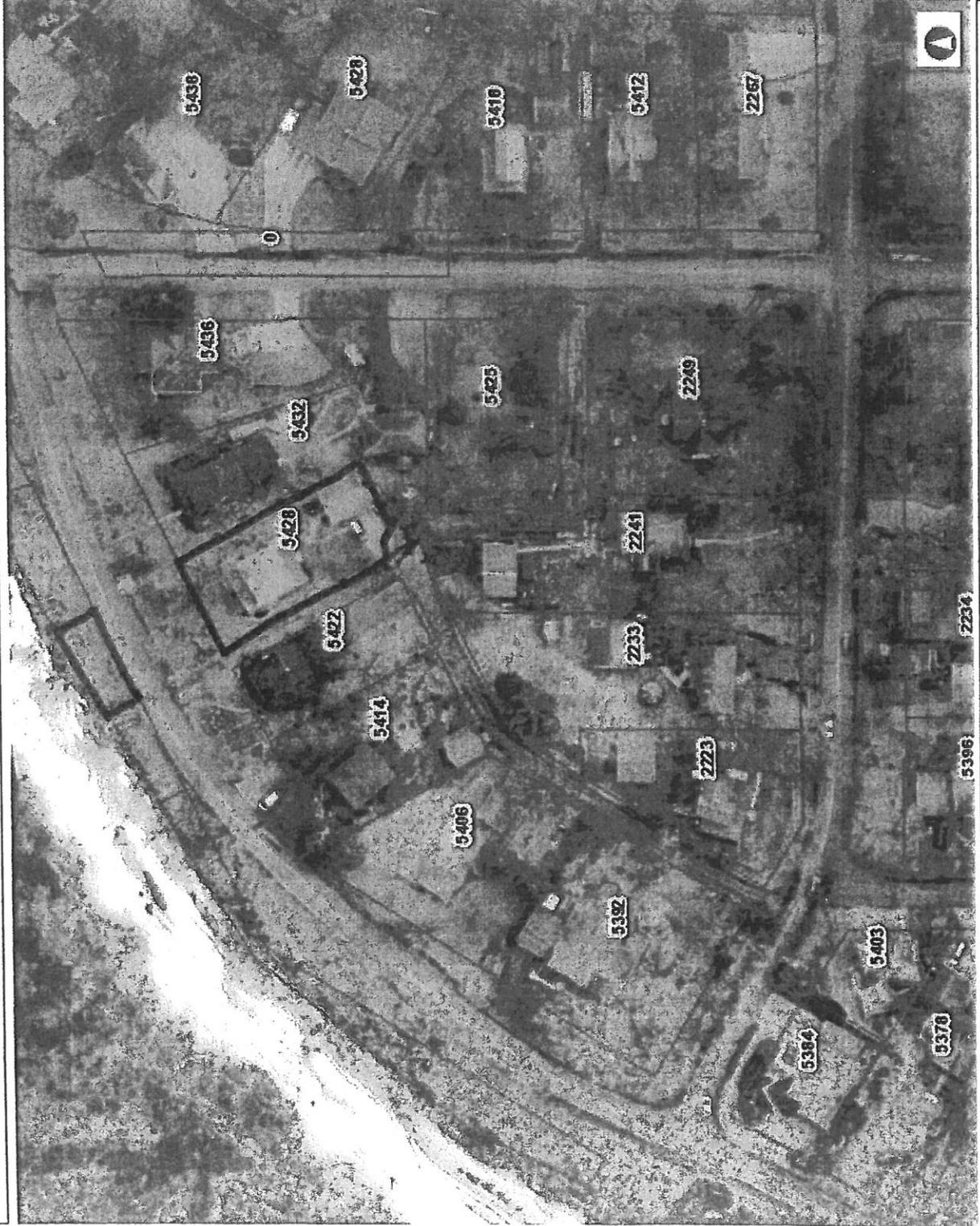
Comments: _____

Date: _____ Signatures: _____

Legend



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



200.0
100.00
0
200.0 Feet
NAD_1983_HARN_Adj_MN_Ramsey_Feet

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



**Town Board Meeting
March 5, 2018**

Agenda Number: 7D – New Business

Public Works Director Item:

Subject: Polar Lakes Park – Approve White Bear Lake School District 624's Ballfield Preparation/Maintenance Proposal for 2018

Documentation: Public Works Director Correspondence w/attachments

Action / Motion for Consideration:

Report at Meeting / Discuss

Based on Public Works Director Review & Recommendation Approve the White Bear Lake School District 624's Proposal to Provide Field Maintenance Services for the 2018 Season for \$8,000, With Funding from the Parks Operating Budget Under Contractual Services

MEMORANDUM

Date: February 27, 2018
To: Town Board
From: Dale Reed, Public Works Director
Re: Ballfield Preparation/Maintenance Proposal by White Bear Lake School District

White Bear Lake School District 624 (WBLSD624) performed ballfield maintenance services during the last 4 (four) seasons (2014-2017) at the Polar Lakes baseball fields 1 and 3 at \$6,000.00 per year. This year the district has provided a proposal for the 2018 season for maintenance of fields 1, 3 and 4 located at Polar Lakes for \$8,000.00. The increased fee is related to the addition of field 4 maintenance, labor, equipment and material costs.

The district services included in the proposal similar to last year and include daily maintenance and game preparation, maintenance to aglime (skinned) areas, weekend game preparation, consulting services on recommended improvements to the existing ballfields, and etc. (see attached proposal for details). The fee for this service is \$8,000.00 for the 2018 season to cover the expenses related to staffing, materials, and ballfield maintenance equipment. The WBLSD624 will provide hands on training for Township staff on field maintenance as time and manpower allows.

I am recommending that we accept WBLSD624's proposal to provide the field maintenance services for \$8,000.00 for the 2018 season based upon last four years' experience. Funding for the field maintenance agreement would be from the Parks Operating Budget under Contractual Services.

Town Board action is to approve WBLSD624's proposal to provide field maintenance services for the 2018 season for \$8,000.00



White Bear Lake Area Public Schools
Independent School District 624

Department of Community Services and Recreation
4855 Bloom Avenue, White Bear Lake, MN 55110
(651) 407-7500 Fax (651) 407-7502
www.isd624.org

2/20/2018

Dale Reed - Public Works Director
White Bear Township
1281 Hammond Rd
White Bear Township, MN 55110

For your consideration, White Bear Schools will provide baseball field maintenance services, on a seasonal basis, in cooperation with the township maintenance staff.

We will provide consulting, planning, monitoring and maintenance services in an effort to continually improve the ballfields in the Polar Parks baseball complex during the active season. This agreement covers the three fields that will be playable during the 2018 baseball season.

Services include:

- Daily maintenance and game preparation
- Provide consulting services for continual improvement of the park
- Identify and repair soil or turf surrounding irrigation heads for player safety
- Properly maintaining the turf/skinned edge to prevent dangerous build-up
- Maintaining the skinned areas of the fields including warning track, batting cages and sidelines
- Recycling of pulverized infield materials on mound home plate area and bases
- Maintaining base lines and repairing cupping or build up in high use areas
- Application and removal of skinned area conditioners to respond to field moisture conditions in an effort to provide a safe, playable surface after poor weather
- Establishing and maintaining proper depths of top grade and packed foundation for all skinned areas
- Attempt to correct unsafe wet spots on playing surface before scheduled games
- Grooming of high traffic areas in the commons area
- Communicating and coordinating with township employees to improve the facilities
- Weekend game preparation
- Coordination of field schedules and communication to field users
- Tournament field preparation charges negotiated by Community Services with user groups

Service dates: April 15 to August 15 For services provided, we are asking payment of \$8000.00 from WB Township payable to ISD 624. Payment is due by June 1, 2018.

Chemicals, Infield Ag-Lime, mound clay, and bases are provided by White Bear Township.

All ballfield chalk, soil drying agents will be provided by ISD 624

Thank you for this opportunity to partner with White Bear Township.

Regards,


Jon Anderson

Recreation & Facility Coordinator

ADDENDUM

The following language shall be incorporated and made a part of that Agreement dated February 20, 2018, by and between Independent School District 624 and the Town of White Bear concerning baseball field maintenance services provided by the School District to the Town.

Independent School District 624 shall indemnify and hold harmless and defend the Township, its officials, employees, volunteers and agents from any and all liability, loss, costs, damages, expenses, claims or actions, including attorney's fees, which the Township, its officials, employees and agents may hereafter sustain, incur or be required to pay, arising out of or by reason of any act or omission of Independent School District 624, its employees or agents, in execution, performance or failure to adequately perform its obligations pursuant to this Agreement. Under no circumstances shall Independent School District 624 be required to defend and indemnify the Township and its officials, employees, volunteers and agents from and against claims resulting from the negligent actions of the Township, including the actions of its officials, employees, volunteers and agents, or its failure to perform its obligations under this Agreement or to maintain the baseball fields.

Each party also specifically intends that the single tort cap limit specified for cooperative agreements under Minnesota Statutes § 471.59, Subd. 1(a), or as such statutes may be amended or modified from time to time, shall apply to this Agreement and to the activities of the parties hereunder. The statutory limits for the parties may not be added together or stacked to increase the maximum amount of liability for either party.

It is agreed that nothing contained in this Agreement is intended or should be construed as creating the relationship of agents, partners, joint venturers, or associates between the parties hereto or as constituting Independent School District 624 as the employee of the Township for any purpose or in any manner whatsoever. Independent School District 624 is an independent contractor and neither it, its employees, agents nor representatives are employees of the Township.

INDEPENDENT SCHOOL DISTRICT 624

TOWN OF WHITE BEAR

By: _____

By: _____
It's Town Chair

By: _____

By: _____
It's Town Clerk



**Town Board Meeting
March 5, 2018**

Agenda Number: 7E – New Business

Public Works Director Item:

Subject: 2018 Sealcoat Project –

1. Receive Bids
2. Award Contract

Documentation: Public Works Director Correspondence w/attachments

** Full bids in distribution file

Action / Motion for Consideration:

Report at Meeting / Discuss

Based on Public Works Review & Recommendation:

- 1) Receive Bids
- 2) Award the 2018 Sealcoat Project Bid to Allied Blacktop Company for their Low Bid of \$94,379.04

Noting Funding for the Project is from the Improvement Fund 505

Minutes
Town Board Meeting
February 5, 2018

2018 SEALCOAT PROJECT: 1) APPROVE PLANS & SPECIFICATIONS; 2) AUTHORIZE ADVERTISEMENT FOR BIDS: The Public Works Director reported that as a part of the Town's infrastructure management program, the Town provides funding for an annual sealcoat project. By proactively treating the road service with sealcoat (an oil and rock application) on a regular scheduled interval of 5-8 years, the road's useful life can be extended. Delaying sealcoat applications can lead to premature deterioration and increased maintenance costs over the life of the roadway. The timing for the sealcoat of these streets is giving the Township the greatest return on investment ultimately increasing the life of the road by providing the right surface maintenance treatment at the right time.

This year's project includes the following areas and street segments: the areas east of 35E, north of County Road H-2, north of Jonquil Lane and west of Otter Lake Road. Along with the following street segments: Hammond Road from Otter Lake Road to Polar Lakes Park, Meehan Drive, and Lakewood Avenue from Randy Ave to Martin Way. Improvement Fund 505 has \$150,000 budgeted for sealcoating and crack sealing. This year's sealcoat project is \$108,000 and crack sealing is estimated at \$35,000. Depending on bids, if they are lower than the estimate, the scope of the sealcoat project could increase. Bids would be due on March 1, 2018.

Ruzek moved, based on Public Works Director's review and recommendation to approve the 2018 sealcoat specifications noting the Public Works Director's estimate for \$108,000 for 2018 sealcoat project and with funding provided from Improvement Fund 505. Prudhon seconded. Ayes all.

Ruzek moved to authorize the advertisement for bids which sets the bid opening date for March 1, 2018 at 10:00 a.m. at the Township Administrative Offices. Prudhon seconded. Ayes all.

MEMORANDUM

Date: March 1, 2018
To: Town Board
From: Dale Reed, Public Works Director
Re: 2018 Sealcoat Project

As part of the Town's infrastructure management program, the Town provides funding for an annual sealcoat project. By proactively treating the road service with sealcoat (an oil and rock application) on a regular scheduled interval (5-8 years), the road's useful life can be extended. Delaying sealcoat applications can lead to premature deterioration and increased maintenance costs over the life of the roadway. The timing for the sealcoat of these streets is giving the Township the greatest return on investment (ROI), ultimately increasing the life of the road by providing the right surface maintenance treatment at the right time.

This year's project includes following areas and street segments: the area east of 35E, north of Jonquil Ln and west of Otter Lake Road. Along with the following street segments: Hammond Rd from Otter Lk Rd to Polar Lakes Park, Meehan Dr., and Lakewood Ave from Randy Ave to Martin Way.

The project was advertised in the White Bear Press on February 14, 2018 and February 21, 2018. Bids were opened on March 1, 2018 @ 10 a.m. in the Town Administration Building. Bids were received from Allied Blacktop Company, Astech Corporation, Fahrner Asphalt Sealers, LLC, and Pearson Brothers, Inc. (see attached bid tab). Public Works staff is recommending that this year's sealcoat project be awarded to Allied Blacktop Company for \$77,418.72. Improvement Fund 505 has \$150,000.00 budgeted for sealcoating, cracksealing, and any necessary engineering costs. The Public Works Director's estimated cost for this year's sealcoat project was \$108,000.00.

With the actual bid coming in lower than estimated by the Public Works Director, the Town could increase the scope of the sealcoat project to complete more of the 2019 sealcoat area in 2018. I am recommending adding Taylor Ave, Cantwell Ave, 8th St, Jefferson Ct, 4th St., 5th St., and Silver Fox Rd, for a total increase of \$18,541.28 or 24% increase in the contract amount. The bid specification allows for a decrease or increase of 25% without a change in the unit bid price. The total recommended award would then be \$95,960.00, leaving \$54,040.00 for cracksealing and any necessary engineering costs. This year the cracksealing estimate by the Public Works Director is \$40,000.00. The area to be cracksealed has a large amount of cracks due to an asphalt overlay (a layer of asphalt placed over the original asphalt street constructed in the late 1970's) in 2004.

Action requested is to award the 2018 Sealcoat contract to Allied Blacktop Company for \$95,960.00.

2018 Street Sealcoating Program
PW SM 18-01
FOR WHICH BIDS WERE OPENED AT
WHITE BEAR TOWNSHIP Administrative Building ON
March 1, 2018 @ 10 a.m.

<i>Contractor</i>	<i>Proposal Guaranty</i>	<i>Bid Amount</i>
Allied Blacktop	Yes	\$77,418.72
Pearson Brothers, Inc.	Yes	\$88,171.32
Astech	Yes	\$92,472.36
Fahrner Asphalt Sealers	Yes	\$113,260.72



**Town Board Meeting
March 5, 2018**

Agenda Number: 7F – New Business

Town Engineer Item:

Subject: Improvement 2016-1 Pine Hill:

1. Approve Final Payment to C.W. Houle
2. Approve Reduction in Escrow Deposit

Documentation: Town Engineer Correspondence w/attachments

Action / Motion for Consideration:

Report at Meeting / Discuss

Based on Town Engineer Review & Recommendation:

1. Approve Final Payment to C.W. Houle in the Amount of \$63,377.81 Which Brings the Total to \$849,475.39.
2. Approve the Reduction of the Escrow to North Oaks in the Amount of \$85,550.00.



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

March 1, 2018

Honorable Chairman and Town Board
White Bear Township, Minnesota

Re: Pine Hill Final Payment and Escrow Reduction
White Bear Township, Minnesota
TKDA Project No.16027.005

Dear Board Members:

The Pine Hill construction project was completed by C.W. Houle. All inspections and project reviews have been performed and approval by North Oaks, Ramsey County, Public Works, Finance and TKDA.

The construction contract amount of \$856,478.39 has a final reduction amount through the Compensating Change Order of \$7,003.00 bringing the final contract to \$849,475.39. Attached is a copy of Final Pay Estimate #5 and the Compensating Change Order.

The entire project has come in below budget and is ready for closeout.

North Oaks Company has requested a final reduction in the escrow balance they have provided. The original amount deposited of \$1,671,125.00 has already been reduced by \$620,000.00 for a remaining amount of \$1,051,125.00.

After all project cost have been paid, the final project total is \$1,059,595.00.

The Township is paying half of the CR H2 water main loop and paying for the services to the residents on the north side of the road through the Water Utility Fund. The Township will be reimbursed by the property owners for the services when the connections are made. This amount is \$94,020.00.

The final project cost of \$1,059,595.00 minus the Township's CR H2 resident water connection amount of \$94,020.00 results in a final escrow fund reduction of \$85,550.00. North Oak and Township Finance have already reviewed the documentation and have agreed with the final numbers at the end of 2017. Now all the paperwork has been completed and ready for closing out the project.

The contractor has provided all the necessary final documentation to make the final payment.

Pine Hill Escrow Final Payment & Escrow Reduction
March 1, 2018
Page 2

Recommendation

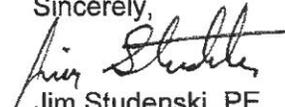
The Developer's existing fund balance will be used to make all the final costs including the contractor's final payment for the project.

We recommend that you make the final payment to C.W. Houle in the amount of \$63,377.81 which brings the total to \$849,475.39. When payment is made, please return the blue copy to TKDA, the pink copy goes to the Contractor and the white copy is for the Township records.

We recommend the final reduction of the escrow to North Oaks in the amount of \$85,550.00.

Please do not hesitate to call me with any questions or comments.

Sincerely,


Jim Studenski, PE
Town Engineer

Attachments

Owner



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

Project No. 16027.005 Cert. No. 5 (Final) Dated January 5, 2018
 To White Bear Township, Minnesota Owner
 This Certifies that C.W. Houle, Inc., 1300 West County Road I, Shoreview, MN 55109, Contractor
 For Pine Hill Sanitary Sewer, Watermain, Storm Sewer, Street Improvements Project
 Is entitled to Sixty Three Thousand Three Hundred Seventy-Seven Dollars and 81/100 (\$ 63,377.81)
 being 5th (Final) estimate for partial payment on contract with you dated June 20, 2016
 Received payment in full of above Certificate. TKDA
Ben W. Houle
 C.W. Houle, Inc. January 9th, 2018
James E. Studenski
 James E. Studenski, PE

RECAPITULATION OF ACCOUNT

	CONTRACT PLUS EXTRAS	PAYMENTS	CREDITS
Contract price plus extras	\$ 792,751.00		
All previous payments		\$ 786,097.58	
All previous credits			
Change Order No. 1	\$ 37,392.00		
Change Order No. 2	\$ 26,335.39		
Compensating Change Order	\$ (7,003.00)		
" "			\$ -
" "			
AMOUNT OF THIS CERTIFICATE		\$ 63,377.81	
Totals	\$ 849,475.39	\$ 849,475.39	\$ -
Credit Balance		\$ -	
There will remain unpaid on contract after payment of this Certificate		\$ -	
	\$ 849,475.39	\$ 849,475.39	\$ -

TKDA
Engineers-Architects-Planners

PERIODICAL ESTIMATE FOR PARTIAL PAYMENTS

Estimate No. 5 (Final) Period Ending December 29, 2017 Page 1 of 1 Proj. No. 16027.005
Contractor C.W. Houle, Inc. Original Contract Amount \$792,751.00
Project Pine Hill Sanitary Sewer, Watermain, Storm Sewer, Street Improvements
Location White Bear Township, Minnesota

Total Contract Work Completed		\$	<u>849,475.39</u>
Total Approved Credits		\$	<u>0.00</u>
Total Approved Extra Work Completed	\$	<u>0.00</u>	
Approved Change Order No. 1 Amount Completed			
Approved Change Order No. 2 Amount Completed			
Compensating Change Order			
Total Amount Earned This Estimate		\$	<u>849,475.39</u>
Less Approved Credits	\$	<u>0.00</u>	
Less <u>0</u> % Retained	\$	<u>0.00</u>	
Less Previous Payments	\$	<u>786,097.58</u>	
Total Deductions		\$	<u>786,097.58</u>
Amount Due This Estimate		\$	<u>63,377.81</u>

Contractor

Boyan W. Houle
C.W. Houle, Inc.

Date

1/9/18

Engineer

James E. Studenski
James E. Studenski, PE

Date

1-5-2018

ESTIMATE NO. 5 (FINAL)

PERIOD ENDING: December 29, 2017

PINE HILL SEWER, WATERMAIN, STORM SEWER, STREET IMPROVEMENTS
 WHITE BEAR TOWNSHIP, MINNESOTA
 TKDA PROJECT NO. 16027.005

ITEM NO.	DESCRIPTION	UNIT	CONTRACT QUANTITY	QUANTITY TO DATE	UNIT PRICE	AMOUNT TO DATE
GENERAL:						
1	MOBILIZATION	LS	1	1.00	\$ 16,000.00	\$ 16,000.00
2	TRAFFIC CONTROL	LS	1	1.00	\$ 4,200.00	\$ 4,200.00
3	SILT FENCE	LF	4,840	3,940	\$ 1.70	\$ 6,698.00
4	INLET PROTECTION	EA	18	17	\$ 245.00	\$ 4,165.00
5	4" TOPSOIL, SEED, MULCH	SY	8,280	2,950	\$ 0.70	\$ 2,065.00
6	4" TOPSOIL, SEED, & EROSION CONTROL BLANKET	SY	1,490	3,100	\$ 2.50	\$ 7,750.00
7	SALVAGE & REINSTALL POST & SIGN	EA	4	-	\$ 200.00	\$ -
SUBTOTAL GENERAL						\$ 40,878.00
STREET IMPROVEMENT:						
1	SAWCUT PAVEMENT	LF	220	180	\$ 4.00	\$ 720.00
2	REMOVE & REPLACE CONCRETE CURB AND GUTTER (ALL TYPES)	LF	20	25	\$ 35.00	\$ 875.00
3	REMOVE & REPLACE BITUMINOUS ROADWAY PAVEMENT	SY	100	160	\$ 40.00	\$ 6,400.00
4	SUBGRADE PREPARATION - STREET	SY	6,900	6,900	\$ 1.00	\$ 6,900.00
5	SUBGRADE CORRECTION - AS NEEDED	CY	580	-	\$ 2.00	\$ -
6	PLACE SELECT GRANULAR SUBBASE - 10" - DELETED	TN	4,560	-	\$ 3.30	\$ -
7	CLASS 5 AGGREGATE BASE - 8"	TN	3,650	3,443	\$ 13.00	\$ 44,759.00
8	2360 BIT. SPNWB230B 2" NON-WEARING COURSE	TN	770	676	\$ 55.50	\$ 37,518.00
9	2360 BIT. SPWEA240B 1-1/2" WEARING COURSE	TN	580	588	\$ 60.00	\$ 34,080.00
10	BITUMINOUS MATERIAL FOR TACK COAT	GAL	340	300	\$ 2.00	\$ 600.00
11	D412 CONCRETE CURB & GUTTER	LF	3,235	3,254	\$ 13.00	\$ 42,302.00
SUBTOTAL STREET IMPROVEMENT						\$ 174,154.00
TRAIL IMPROVEMENT:						
1	TRAIL GRADING	CY	1,370	1,980	\$ 8.00	\$ 15,840.00
2	SUBGRADE PREPARATION - TRAIL	LS	1	1	\$ 2,000.00	\$ 2,000.00
3	CLASS 5 AGGREGATE BASE - 6"	TN	700	700	\$ 14.00	\$ 9,800.00
4	2360 BIT. SPWEB240B 3" WEARING COURSE	TN	290	289	\$ 70.00	\$ 20,195.00
5	PEDESTRIAN RAMPS	EA	3	3	\$ 1,960.00	\$ 5,880.00
SUBTOTAL TRAIL IMPROVEMENT						\$ 53,715.00
STORM SEWER IMPROVEMENTS:						
1	CATCH BASIN TYPE 402	EA	3	3	\$ 1,330.00	\$ 3,990.00
2	CATCH BASIN TYPE 404	EA	2	2	\$ 1,560.00	\$ 3,120.00
3	CATCH BASIN/MANHOLE TYPE 406	EA	11	12	\$ 2,040.00	\$ 24,480.00
4	STORM SEWER MANHOLE TYPE 409	EA	2	2	\$ 1,920.00	\$ 3,840.00
5	OUTLET CONTROL STRUCTURE	EA	1	1	\$ 5,450.00	\$ 5,450.00
6	12" RCP STORM SEWER PIPE	LF	330	322	\$ 21.00	\$ 6,762.00
7	15" RCP STORM SEWER PIPE	LF	270	270	\$ 23.00	\$ 6,210.00
8	18" RCP STORM SEWER PIPE	LF	850	829	\$ 27.00	\$ 22,383.00
9	21" RCP STORM SEWER PIPE	LF	77	77	\$ 31.00	\$ 2,387.00
10	24" RCP STORM SEWER PIPE	LF	275	269	\$ 35.00	\$ 9,415.00
11	12" RC APRON W/ TRASHGUARD	EA	1	1	\$ 980.00	\$ 980.00
12	18" RC APRON W/ TRASHGUARD	EA	3	3	\$ 1,180.00	\$ 3,540.00
13	24" RC APRON W/ TRASHGUARD	EA	1	1	\$ 1,330.00	\$ 1,330.00
14	CLASS II RIP RAP WITH FILTER FABRIC	CY	60	64.89	\$ 100.00	\$ 6,489.00
15	4" PERFORATED DRAINTILE WITH SOCK	LF	160	-	\$ 10.00	\$ -
16	COURSE FILTER AGGREGATE	CY	180	-	\$ 44.00	\$ -
SUBTOTAL STORM SEWER IMPROVEMENTS						\$ 100,376.00
SANITARY SEWER IMPROVEMENTS:						
1	CONSTRUCT MANHOLE OVER EXISTING 21" PVC	EA	1	1	\$ 7,450.00	\$ 7,450.00
2	4" PVC, SCH 40 SANITARY SEWER SERVICE	LF	945	1,025	\$ 12.00	\$ 12,300.00

ESTIMATE NO. 5 (FINAL)

PERIOD ENDING: December 29, 2017

PINE HILL SEWER, WATERMAIN, STORM SEWER, STREET IMPROVEMENTS
 WHITE BEAR TOWNSHIP, MINNESOTA
 TKDA PROJECT NO. 16027.005

ITEM NO.	DESCRIPTION	UNIT	CONTRACT QUANTITY	QUANTITY TO DATE	UNIT PRICE	AMOUNT TO DATE
3	8" PVC, SDR 35 SANITARY SEWER	LF	1,660	1,610	\$ 22.00	\$ 35,420.00
4	12" PVC, SDR 35 SANITARY SEWER	LF	20	20	\$ 30.00	\$ 600.00
5	15" PVC, SDR 35 SANITARY SEWER	LF	117	131	\$ 31.00	\$ 4,061.00
6	48" DIAMETER SANITARY SWER MANHOLE, TYPE 301	EA	11	11	\$ 2,365.00	\$ 26,015.00
7	4" WYE ON 8" SANITARY SEWER	EA	28	28	\$ 102.00	\$ 2,856.00
8	4" POLYSTYRENE INSULATION	SF	468	468	\$ 5.00	\$ 2,340.00
SUBTOTAL SANITARY SEWER IMPROVEMENTS						\$ 91,042.00
WATERMAIN IMPROVEMENTS:						
1	CONNECT TO EX. 16" WATERMAIN	EA	2	2	\$ 5,200.00	\$ 10,400.00
2	8" GATE VALVE AND BOX	EA	2	2	\$ 1,890.00	\$ 3,780.00
3	16" BUTTERFLY VALVE AND BOX	EA	6	6	\$ 3,200.00	\$ 19,200.00
4	8" DIP WATERMAIN, CL. 52	LF	1,140	1,140	\$ 31.00	\$ 35,340.00
5	16" DIP WATERMAIN, CL. 52	LF	1,839	1,850	\$ 59.00	\$ 109,150.00
6	HYDRANT, LEAD, VALVE, AND BOX	EA	8	8	\$ 4,750.00	\$ 38,000.00
7	1" CORPORATION STOP W/ TAPPING SADDLE	EA	37	37	\$ 112.00	\$ 4,144.00
8	1" CURB STOP BOX AND VALVE	EA	37	37	\$ 185.00	\$ 6,845.00
9	1" TYPE K COPPER WATER SERVICE	LF	1,037	1,080	\$ 14.00	\$ 15,120.00
10	1" TYPE K COPPER WATER SERVICE - CR H2 CROSSING INCL. RESTORATION	LF	747	787	\$ 36.00	\$ 28,332.00
11	WATERMAIN CASING - 27" MINIMUM	LF	52	52	\$ 187.00	\$ 9,724.00
12	8"X45° BEND MJ DUCTILE IRON COMPACT FITTING	EA	5	8	\$ 255.00	\$ 2,040.00
13	8"X22-1/2° BEND MJ DUCTILE IRON COMPACT FITTING	EA	2	1	\$ 255.00	\$ 255.00
14	8"X11-1/4° BEND MJ DUCTILE IRON COMPACT FITTING	EA	2	-	\$ 225.00	\$ -
15	16"X45° BEND MJ DUCTILE IRON COMPACT FITTING	EA	3	3	\$ 1,090.00	\$ 3,270.00
16	16"X22-1/2° BEND MJ DUCTILE IRON COMPACT FITTING	EA	3	4	\$ 1,085.00	\$ 4,340.00
17	16"X11-1/4° BEND MJ DUCTILE IRON COMPACT FITTING	EA	4	4	\$ 1,085.00	\$ 4,340.00
18	8"X6" TEE MJ DUCTILE IRON COMPACT FITTING	EA	7	7	\$ 330.00	\$ 2,310.00
19	16"X6" TEE MJ DUCTILE IRON COMPACT FITTING	EA	4	4	\$ 1,030.00	\$ 4,120.00
20	16"X8" TEE MJ DUCTILE IRON COMPACT FITTING	EA	2	2	\$ 1,000.00	\$ 2,000.00
21	16"X16" TEE MH DUCTILE IRON COMPACT FITTING	EA	2	3	\$ 2,030.00	\$ 6,090.00
22	16" PLUG MJ DUCTILE IRON COMPACT FITTING	EA	1	2	\$ 750.00	\$ 1,500.00
23	4" POLYSTYRENE INSULATION	SF	300	300	\$ 5.00	\$ 1,500.00
SUBTOTAL WATERMAIN IMPROVEMENTS						\$ 311,800.00
CHANGE ORDER NO. 1						
STREET IMPROVEMENT:						
1	BID ITEM #6 PLACE SELECT GRANULAR SUBBASE - 10"	TN	(4,560)	-	\$ 3.30	\$ -
2	SELECT GRANULAR BASE - 10"	TN	4,560	4,450	\$ 11.50	\$ 51,175.00
TOTAL CHANGE ORDER NO. 1						\$ 51,175.00
CHANGE ORDER NO. 2						
STREET IMPROVEMENTS:						
1	INSTALL SEVEN PRIVATE UTILITY CONDUITS	EA	7	7	\$ 160.00	\$ 1,120.00
2	RAMSEY COUNTY ADDITIONAL PAVEMENT	LS	1	1	\$ 6,400.00	\$ 6,400.00
SANITARY IMPROVEMENTS:						
3	RELAY EXISTING 21' SANITARY SEWER	LS	1	1	\$ 10,852.20	\$ 10,852.20
4	RELOCATE CONNECTION POINT OF EXISTING SANITARY SEWER	LS	1	1	\$ 7,963.19	\$ 7,963.19
TOTAL CHANGE ORDER NO. 2						\$ 26,335.39
TOTAL ESTIMATE NO. 5 (FINAL)						\$ 849,475.39

CHANGE ORDER

TKDA
Engineers-Architects-Planners

Date December 29, 2017

Project No. 16027.005

Compensating Change Order

To C.W. Houle, Inc.

for Pine Hill Sanitary Sewer, Watermain, Storm Sewer, Street Improvements

for White Bear Township, Minnesota

You are hereby directed to make the following change to your contract dated June 20, 2016. The change and the work affected thereby is subject to all contract stipulations and covenants. This Change Order will (~~increase~~) (decrease) (~~not change~~) the contract sum by Seven Thousand Three Dollars and 00/100 (- \$ 7,003.00)

COMPENSATING CHANGE ORDER

This compensating change order shows the quantity difference from the bid amount (see attached itemization):

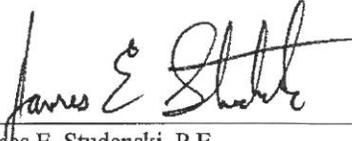
NET CHANGE =	\$ (7,003.00)
Amount of Original Contract	\$ 792,751.00
Additions approved to date (Change Order No. 1)	\$ 37,392.00
Additions approved to date (Change Order No. 2)	\$ 26,335.39
Contract amount to date	\$ 856,478.39
Amount of this Compensating Change Order (Add) (Deduct) (No Change)	\$ (7,003.00)
Revised Contract Amount	\$ 849,475.39

Approved _____
White Bear Township, Minnesota

By _____

Approved  _____
C.W. Houle, Inc.

By  _____

TKDA
By  _____
James E. Studenski, P.E.

White - Owner
Pink - Contractor
Blue - TKDA

COMPENSATING CHANGE ORDER

PERIOD ENDING: December 29, 2017

PINE HILL SEWER, WATERMAIN, STORM SEWER, STREET IMPROVEMENTS
 WHITE BEAR TOWNSHIP, MINNESOTA
 TKDA PROJECT NO. 16027.005

ITEM NO.	DESCRIPTION	UNIT	CONTRACT QUANTITY	QUANTITY TO DATE	UNIT PRICE	AMOUNT TO DATE	NET CHANGE	CONTRACT AMOUNT	
GENERAL:									
1	MOBILIZATION	LS	1	1.00	\$ 16,000.00	\$ 16,000.00	\$ -	\$ 16,000.00	
2	TRAFFIC CONTROL	LS	1	1.00	\$ 4,200.00	\$ 4,200.00	\$ -	\$ 4,200.00	
3	SILT FENCE	LF	4,840	3,940	\$ 1.70	\$ 6,698.00	\$ (1,530.00)	\$ 8,228.00	
4	INLET PROTECTION	EA	18	17	\$ 245.00	\$ 4,165.00	\$ (245.00)	\$ 4,410.00	
5	4" TOPSOIL, SEED, MULCH	SY	8,280	2,950	\$ 0.70	\$ 2,065.00	\$ (3,731.00)	\$ 5,796.00	
6	4" TOPSOIL, SEED, & EROSION CONTROL BLANKET	SY	1,490	3,100	\$ 2.50	\$ 7,750.00	\$ 4,025.00	\$ 3,725.00	
7	SALVAGE & REINSTALL POST & SIGN	EA	4	-	\$ 200.00	\$ -	\$ (800.00)	\$ 800.00	
SUBTOTAL GENERAL							\$ 40,878.00	\$ (2,281.00)	\$ 43,159.00
STREET IMPROVEMENT:									
1	SAWCUT PAVEMENT	LF	220	180	\$ 4.00	\$ 720.00	\$ (160.00)	\$ 880.00	
2	REMOVE & REPLACE CONCRETE CURB AND GUTTER (ALL TYPES)	LF	20	25	\$ 35.00	\$ 875.00	\$ 175.00	\$ 700.00	
3	REMOVE & REPLACE BITUMINOUS ROADWAY PAVEMENT	SY	100	160	\$ 40.00	\$ 6,400.00	\$ 2,400.00	\$ 4,000.00	
4	SUBGRADE PREPARATION - STREET	SY	6,900	6,900	\$ 1.00	\$ 6,900.00	\$ -	\$ 6,900.00	
5	SUBGRADE CORRECTION - AS NEEDED	CY	580	-	\$ 2.00	\$ -	\$ (1,160.00)	\$ 1,160.00	
6	PLACE SELECT GRANULAR SUBBASE - 10" - DELETED	TN	4,560	-	\$ 3.30	\$ -	\$ (15,048.00)	\$ 15,048.00	
7	CLASS 5 AGGREGATE BASE - 8"	TN	3,650	3,443	\$ 13.00	\$ 44,759.00	\$ (2,691.00)	\$ 47,450.00	
8	2360 BIT. SPNWB230B 2" NON-WEARING COURSE	TN	770	676	\$ 55.50	\$ 37,518.00	\$ (5,217.00)	\$ 42,735.00	
9	2360 BIT. SPWEA240B 1-1/2" WEARING COURSE	TN	580	568	\$ 60.00	\$ 34,080.00	\$ (720.00)	\$ 34,800.00	
10	BITUMINOUS MATERIAL FOR TACK COAT	GAL	340	300	\$ 2.00	\$ 600.00	\$ (80.00)	\$ 680.00	
11	D412 CONCRETE CURB & GUTTER	LF	3,235	3,254	\$ 13.00	\$ 42,302.00	\$ 247.00	\$ 42,055.00	
SUBTOTAL STREET IMPROVEMENT							\$ 174,154.00	\$ (22,254.00)	\$ 196,408.00
TRAIL IMPROVEMENT:									
1	TRAIL GRADING	CY	1,370	1,980	\$ 8.00	\$ 15,840.00	\$ 4,880.00	\$ 10,960.00	
2	SUBGRADE PREPARATION - TRAIL	LS	1	1	\$ 2,000.00	\$ 2,000.00	\$ -	\$ 2,000.00	
3	CLASS 5 AGGREGATE BASE - 6"	TN	700	700	\$ 14.00	\$ 9,800.00	\$ -	\$ 9,800.00	
4	2360 BIT. SPWEA240B 3" WEARING COURSE	TN	290	289	\$ 70.00	\$ 20,195.00	\$ (105.00)	\$ 20,300.00	
5	PEDESTRIAN RAMPS	EA	3	3	\$ 1,960.00	\$ 5,880.00	\$ -	\$ 5,880.00	
SUBTOTAL TRAIL IMPROVEMENT							\$ 53,715.00	\$ 4,775.00	\$ 48,940.00
STORM SEWER IMPROVEMENTS:									
1	CATCH BASIN TYPE 402	EA	3	3	\$ 1,330.00	\$ 3,990.00	\$ -	\$ 3,990.00	
2	CATCH BASIN TYPE 404	EA	2	2	\$ 1,560.00	\$ 3,120.00	\$ -	\$ 3,120.00	
3	CATCH BASIN/MANHOLE TYPE 406	EA	11	12	\$ 2,040.00	\$ 24,480.00	\$ 2,040.00	\$ 22,440.00	
4	STORM SEWER MANHOLE TYPE 409	EA	2	2	\$ 1,920.00	\$ 3,840.00	\$ -	\$ 3,840.00	
5	OUTLET CONTROL STRUCTURE	EA	1	1	\$ 5,450.00	\$ 5,450.00	\$ -	\$ 5,450.00	

COMPENSATING CHANGE ORDER

PERIOD ENDING: December 29, 2017

PINE HILL SEWER, WATERMAIN, STORM SEWER, STREET IMPROVEMENTS
 WHITE BEAR TOWNSHIP, MINNESOTA
 TKDA PROJECT NO. 16027.005

ITEM NO.	DESCRIPTION	UNIT	CONTRACT QUANTITY	CONTRACT QUANTITY TO DATE	UNIT PRICE	AMOUNT TO DATE	NET CHANGE	CONTRACT AMOUNT
6	12" RCP STORM SEWER PIPE	LF	330	322	\$ 21.00	\$ 6,762.00	\$ (168.00)	\$ 6,930.00
7	15" RCP STORM SEWER PIPE	LF	270	270	\$ 23.00	\$ 6,210.00	\$ -	\$ 6,210.00
8	18" RCP STORM SEWER PIPE	LF	850	829	\$ 27.00	\$ 22,383.00	\$ (567.00)	\$ 22,950.00
9	21" RCP STORM SEWER PIPE	LF	77	77	\$ 31.00	\$ 2,387.00	\$ -	\$ 2,387.00
10	24" RCP STORM SEWER PIPE	LF	275	269	\$ 35.00	\$ 9,415.00	\$ (210.00)	\$ 9,625.00
11	12" RC APRON W/ TRASHGUARD	EA	1	1	\$ 980.00	\$ 980.00	\$ -	\$ 980.00
12	18" RC APRON W/ TRASHGUARD	EA	3	3	\$ 1,180.00	\$ 3,540.00	\$ -	\$ 3,540.00
13	24" RC APRON W/ TRASHGUARD	EA	1	1	\$ 1,330.00	\$ 1,330.00	\$ -	\$ 1,330.00
14	CLASS II RIP RAP WITH FILTER FABRIC	CY	60	64.89	\$ 100.00	\$ 6,489.00	\$ 489.00	\$ 6,000.00
15	4" PERFORATED DRAINTILE WITH SOCK	LF	160	-	\$ 10.00	\$ -	\$ (1,600.00)	\$ 1,600.00
16	COURSE FILTER AGGREGATE	CY	180	-	\$ 44.00	\$ -	\$ (7,920.00)	\$ 7,920.00
SUBTOTAL STORM SEWER IMPROVEMENTS						\$ 100,376.00	\$ (7,936.00)	\$ 108,312.00
SANITARY SEWER IMPROVEMENTS:								
1	CONSTRUCT MANHOLE OVER EXISTING 21" PVC	EA	1	1	\$ 7,450.00	\$ 7,450.00	\$ -	\$ 7,450.00
2	4" PVC, SCH 40 SANITARY SEWER SERVICE	LF	945	1,025	\$ 12.00	\$ 12,300.00	\$ 960.00	\$ 11,340.00
3	8" PVC, SDR 35 SANITARY SEWER	LF	1,660	1,610	\$ 22.00	\$ 35,420.00	\$ (1,100.00)	\$ 36,520.00
4	12" PVC, SDR 35 SANITARY SEWER	LF	20	20	\$ 30.00	\$ 600.00	\$ -	\$ 600.00
5	15" PVC, SDR 35 SANITARY SEWER	LF	117	131	\$ 31.00	\$ 4,061.00	\$ 434.00	\$ 3,627.00
6	48" DIAMETER SANITARY SWER MANHOLE, TYPE 301	EA	11	11	\$ 2,365.00	\$ 26,015.00	\$ -	\$ 26,015.00
7	4" WYE ON 8" SANITARY SEWER	EA	28	28	\$ 102.00	\$ 2,856.00	\$ -	\$ 2,856.00
8	4" POLYSTYRENE INSULATION	SF	468	468	\$ 5.00	\$ 2,340.00	\$ -	\$ 2,340.00
SUBTOTAL SANITARY SEWER IMPROVEMENTS						\$ 91,042.00	\$ 294.00	\$ 90,748.00
WATERMAIN IMPROVEMENTS:								
1	CONNECT TO EX. 16" WATERMAIN	EA	2	2	\$ 5,200.00	\$ 10,400.00	\$ -	\$ 10,400.00
2	8" GATE VALVE AND BOX	EA	2	2	\$ 1,890.00	\$ 3,780.00	\$ -	\$ 3,780.00
3	16" BUTTERFLY VALVE AND BOX	EA	6	6	\$ 3,200.00	\$ 19,200.00	\$ -	\$ 19,200.00
4	8" DIP WATERMAIN, CL. 52	LF	1,140	1,140	\$ 31.00	\$ 35,340.00	\$ -	\$ 35,340.00
5	16" DIP WATERMAIN, CL. 52	LF	1,839	1,850	\$ 59.00	\$ 109,150.00	\$ 649.00	\$ 108,501.00
6	HYDRANT, LEAD, VALVE, AND BOX	EA	8	8	\$ 4,750.00	\$ 38,000.00	\$ -	\$ 38,000.00
7	1" CORPORATION STOP W/ TAPPING SADDLE	EA	37	37	\$ 112.00	\$ 4,144.00	\$ -	\$ 4,144.00
8	1" CURB STOP BOX AND VALVE	EA	37	37	\$ 185.00	\$ 6,845.00	\$ -	\$ 6,845.00
9	1" TYPE K COPPER WATER SERVICE	LF	1,037	1,080	\$ 14.00	\$ 15,120.00	\$ 602.00	\$ 14,518.00
10	1" TYPE K COPPER WATER SERVICE - CR H2 CROSSING INCL. RESTORATION	LF	747	787	\$ 36.00	\$ 28,332.00	\$ 1,440.00	\$ 26,892.00
11	WATERMAIN CASING - 27" MINIMUM	LF	52	52	\$ 187.00	\$ 9,724.00	\$ -	\$ 9,724.00
12	8"X45° BEND MJ DUCTILE IRON COMPACT FITTING	EA	5	8	\$ 255.00	\$ 2,040.00	\$ 765.00	\$ 1,275.00

COMPENSATING CHANGE ORDER

PERIOD ENDING: December 29, 2017

PINE HILL SEWER, WATERMAIN, STORM SEWER, STREET IMPROVEMENTS
 WHITE BEAR TOWNSHIP, MINNESOTA
 TKDA PROJECT NO. 16027.005

ITEM NO.	DESCRIPTION	UNIT	CONTRACT QUANTITY	QUANTITY TO DATE	UNIT PRICE	AMOUNT TO DATE	NET CHANGE	CONTRACT AMOUNT
13	8"X22-1/2" BEND MJ DUCTILE IRON COMPACT FITTING	EA	2	1	\$ 255.00	\$ 255.00	\$ (255.00)	\$ 510.00
14	8"X11-1/4" BEND MJ DUCTILE IRON COMPACT FITTING	EA	2	-	\$ 225.00	\$ -	\$ (450.00)	\$ 450.00
15	16"X45" BEND MJ DUCTILE IRON COMPACT FITTING	EA	3	3	\$ 1,090.00	\$ 3,270.00	\$ -	\$ 3,270.00
16	16"X22-1/2" BEND MJ DUCTILE IRON COMPACT FITTING	EA	3	4	\$ 1,085.00	\$ 4,340.00	\$ 1,085.00	\$ 3,255.00
17	16"X11-1/4" BEND MJ DUCTILE IRON COMPACT FITTING	EA	4	4	\$ 1,085.00	\$ 4,340.00	\$ -	\$ 4,340.00
18	8"X6" TEE MJ DUCTILE IRON COMPACT FITTING	EA	7	7	\$ 330.00	\$ 2,310.00	\$ -	\$ 2,310.00
19	16"X6" TEE MJ DUCTILE IRON COMPACT FITTING	EA	4	4	\$ 1,030.00	\$ 4,120.00	\$ -	\$ 4,120.00
20	16"X8" TEE MJ DUCTILE IRON COMPACT FITTING	EA	2	2	\$ 1,000.00	\$ 2,000.00	\$ -	\$ 2,000.00
21	16"X16" TEE MH DUCTILE IRON COMPACT FITTING	EA	2	3	\$ 2,030.00	\$ 6,090.00	\$ 2,030.00	\$ 4,060.00
22	16" PLUG MJ DUCTILE IRON COMPACT FITTING	EA	1	2	\$ 750.00	\$ 1,500.00	\$ 750.00	\$ 750.00
23	4" POLYSTYRENE INSULATION	SF	300	300	\$ 5.00	\$ 1,500.00	\$ -	\$ 1,500.00
SUBTOTAL WATERMAIN IMPROVEMENTS						\$ 311,800.00	\$ 6,616.00	\$ 305,184.00

CHANGE ORDER NO. 1

STREET IMPROVEMENT:	UNIT	CONTRACT QUANTITY	QUANTITY TO DATE	UNIT PRICE	AMOUNT TO DATE	NET CHANGE	CONTRACT AMOUNT
1 BID ITEM #6 PLACE SELECT GRANULAR SUBBASE - 10"	TN	(4,560)	-	\$ 3.30	\$ -	\$ 15,048.00	\$ (15,048.00)
2 SELECT GRANULAR BASE - 10"	TN	4,560	4,450	\$ 11.50	\$ 51,175.00	\$ (1,265.00)	\$ 52,440.00
TOTAL CHANGE ORDER NO. 1					\$ 51,175.00	\$ 13,783.00	\$ 37,392.00

CHANGE ORDER NO. 2

STREET IMPROVEMENTS:	UNIT	CONTRACT QUANTITY	QUANTITY TO DATE	UNIT PRICE	AMOUNT TO DATE	NET CHANGE	CONTRACT AMOUNT
1 INSTALL SEVEN PRIVATE UTILITY CONDUITS	EA	7	7	\$ 160.00	\$ 1,120.00	\$ -	\$ 1,120.00
2 RAMSEY COUNTY ADDITIONAL PAVEMENT	LS	1	1	\$ 6,400.00	\$ 6,400.00	\$ -	\$ 6,400.00
SANITARY IMPROVEMENTS:							
3 RELAY EXISTING 21' SANITARY SEWER	LS	1	1	\$ 10,852.20	\$ 10,852.20	\$ -	\$ 10,852.20
4 RELOCATE CONNECTION POINT OF EXISTING SANITARY SEWER	LS	1	1	\$ 7,963.19	\$ 7,963.19	\$ -	\$ 7,963.19
TOTAL CHANGE ORDER NO. 2					\$ 26,335.39	\$ -	\$ 26,335.39

TOTAL

TOTAL					\$ 849,475.39	\$ (7,003.00)	\$ 856,478.39
--------------	--	--	--	--	----------------------	----------------------	----------------------



**Town Board Meeting
March 5, 2018**

Agenda Number: 7G – General Business

Subject: Lucy’s Burgers, 1190 County Road J – Tent Party Request

Documentation: Miscellaneous Correspondence

** Town Ordinances have been reviewed by Staff & found no requirements/permit(s) which would apply as this is a permitted use in that zoning district

Action / Motion for Consideration:

Report at Meeting / Discuss

Based on Town Board Discussion Permit Lucy’s Burgers to go Ahead with their Planned Event Contingent Upon Satisfying the Liquor License non-Profit Sponsor

**Minutes
Executive Meeting
February 23, 2018**

LUCY’S BURGERS – TENT PARTY REQUEST: Josh Wickander attended the meeting to discuss Lucy’s Burgers request for a tent party event near their first anniversary date. They were considering a St. Patrick’s Day event but realized that they didn’t have enough time to manage that. They would like to set up a 20’ x 30’ party tent in the parking lot adjacent to Lucy’s Burgers side entrance. The tent will have 2 closed sides and crowd control bars or temporary fences to ensure people enter and exit the event properly. No alcohol is allowed outside of the tent or the restaurant or the walk between the two areas. This will be a controlled entrance and exit of the event. They will staff the gates with off-duty police officers to ensure that everyone is of age. They will card all who attend and issue bracelets required to purchase a drink at this event. This is a 21 year plus event and ID is required by all. Lucy’s will offer a shuttle bus service to attendees who don’t want to drive to and from, or just rides home to those who need one. They will have additional security to ensure people have a good time and things don’t get out of hand. They will have temporary beer trailers that have a selection of tap beers and temporary bars set up inside the tent. There will be a clean-up crew that starts at the end of the event to make sure all litter and garbage is removed immediately following the event and the grounds are clear and it is left better than it was when the event started. Portable toilets will be set up as well to keep the crowds and alcohol consumption in one area and prevent people from wandering outside the designated areas with alcohol. There will be 2 to 3 bands that play starting around noon and ending at 10:00 p.m. with breaks in between so the next band can set up and crowds can rotate

in and out. There will be DJ music when the bands are not playing. To make this happen they need to have their liquor license include hours of 11:00 a.m. to midnight on St. Patrick's Day to include the tent they set up in the parking lot area. Last call in the tent is at 10:30 p.m. All drinks are collected and removed before 11:00 p.m. to ensure that they can wind down the event. People who wish to hang out for a bit or are waiting for a ride home can wait inside Lucy's. That bar closes at 1:00 a.m. They will purchase any additional liability insurance if needed.

The Town Attorney reported that they have reviewed a temporary liquor license for the tent party. Retail alcoholic beverage licenses are only effective for the premises specified in the approved license application according to MN Statute §340A.410, Subd. 7. This means that Lucy's present license limits them to serving intoxicating beverages to the space described in their license application. Lucy's license would have to be reviewed to verify this. The statutes allow for issuance of temporary on-sale license (MN statute §340A.404, Subd 10. This license would be conditional. It may only be issued to a club or charitable, religious or other non-profit organization existing for at least three years; a political committee registered under Section 10A.14 or a state university. There is no provision in the statute to issue a temporary license to a private entity. There is one additional exception. A municipality may authorize the holder of a retail on-sale intoxicating liquor license to sell off-premises at a community festival. Only municipalities and the counties are allowed to issue liquor licenses. The definition of municipality is limited to cities and counties which mean that the Town cannot issue a liquor license directly. Instead the license must come from Ramsey County. However, the county cannot issue a liquor license unless the Town consents. Unless Lucy's can find a club, charitable, religious or other non-profit organization to apply for the temporary license, it cannot sell intoxicating beverages in the tent as planned.

Josh Wickander stated that if they cannot get a temporary liquor license the event cannot happen. In response if they would have any external lights, Josh Wickander stated that they will have lights inside the tent, but not outside. In response to a question if there would be sufficient parking, Josh Wickander stated that he has talked with most of the businesses and there is not a problem since they will be closed at that time of day. They estimate about 100-150 parking spaces would be needed. He stated that if there is any cost for traffic control they would pay that cost. The owner of the shopping center has approved the event with a damage deposit.

After discussion it was suggested that Josh Wickander contact the White Bear Lake Area Historical Society regarding being the sponsoring non-profit organization for the temporary liquor license. Josh Wickander stated that they would contact them. In response to a question if a Permitted Use Standards Permit would be required, the Planner stated that he would check it out.

It was the consensus the Lucy's Burgers go ahead with their planned event contingent upon satisfying the liquor license non-profit sponsor and verification if a Permitted Use Standards Permit is required.

MEMORANDUM

DATE: February 15, 2018
TO: Town of White Bear
FROM: Chad D. Lemmons
RE: Temporary Liquor Licenses

DISCUSSION

ISSUE: Lucy's restaurant is requesting permission to erect a tent in the parking lot serving its building for the purpose of hosting a St. Patrick's Day party. While there are a number of issues that the Town has already addressed, there is one question regarding serving intoxicating liquor in the tent.

I would first point out, retail alcoholic beverage licenses are only effective for the premises specified in the approved license application, see Minn. Stat. § 340A.410, subd. 7. This means that Lucy's present license limits them to serving intoxicating beverages to the space described in their license application. Lucy's license should be reviewed, but I would expect the license premises is limited to the actual restaurant.

The statutes do allow for issuance of temporary on-sale licenses, Minn. Stat. § 340A.404, subd. 10. The problem is such a license is conditional. First, it may only be issued to a club or charitable, religious or other non-profit organization existing for at least three (3) years; a political committee registered under Section 10A.14 or a state university. There is no provision in the statute to issue a temporary license to a private entity. I would point out there is one additional exception. A municipality may authorize the holder of a retail on sale intoxicating liquor license to sell off-premises at a community festival, see Minn. Stat. § 340A.404, subd. 4(b).

There is an additional issue. Only municipalities and the counties are allowed to issue liquor licenses. The definition of municipality is limited to cities and counties, which means the Town cannot issue a liquor license directly. Instead the license must come from Ramsey County. However, a county cannot issue a liquor license unless the Town consents, Minn. Stat. § 340A.410, subd. 1. It is my understanding that the Town and Ramsey County have an agreement under which the Town can issue temporary licenses.

Unless Lucy's can find a club, charitable, religious or other non-profit organization to apply for the temporary license, it cannot sell intoxicating beverages in the tent as planned. I verified this with the State Alcohol and Gambling Enforcement Unit.

I do have another recommendation. Given the size of the Township and the sophistication of Town Administration, it seems illogical the Town should not be allowed to issue its own liquor licenses. I would recommend that the Town contact its legislators and request an amendment to Minn. Stat. § 340A.101, subd. 18 – Municipality. I believe it should read as follows:

“Municipality” is a city, urban township, county or, for purposes of licensing under Section 340A.404, subd. 7, the metropolitan airports commission.”

As an alternative, replace urban townships with Town of White Bear.

Patti Walstad

From: Patti Walstad
Sent: Wednesday, February 14, 2018 1:42 PM
To: 'Chad Lemmons'
Cc: 'Tina Bailey'
Subject: FW: Tent Party

Chad please see the below email I sent regarding Lucy's having a tent party.

Patti

From: Patti Walstad
Sent: Wednesday, February 14, 2018 1:41 PM
To: Josh Wickander <josh@lucysburgers.com>
Cc: 'Joel Kunza' <joel.kunza@nationalrecoveries.com>; Rob Scott <rscott@t4np.com>
Subject: Tent Party

Dear All,

Your request is being put on next Friday's Executive Meeting Agenda for discussion. I think it would be best if someone was at that meeting to described to the Board what you have planned. I could set 1:00 as the time if that works.

Also, some topics that you should be prepared to have answer for include:

- How will you manage parking
- Has approval by the property owners been given
- Have the other tenants been notified
- Are the other tenants alright with this event
- Insurance
- Security

Please let me know if that time works.

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

Find us on FaceBook!

Patti Walstad

From: Josh Wickander <josh@lucysburgers.com>
Sent: Friday, February 2, 2018 3:40 PM
To: Patti Walstad
Cc: Joel Kunza; Rob Scott
Subject: St Patrick's Day Tent Party

Patti,

Here is an outline of the Tent Party event that I spoke to you about. Because there is music, we are planning on charging a cover and we will be donating a 20% to 25% percentage of the cover charge to a local charity.

Set up

Set up a Party tent in the parking lot adjacent to Lucy's Burgers side entrance. The Tent will have 2 closed sides and crowd control bars or Temporary fences to ensure people enter and exit the event properly. No alcohol is allowed outside of the tent or the restaurant or the walk between the 2 areas. This will be controlled at the entrance and exit of the event. We will staff the gates with off Duty Police officers to ensure that everyone is of age, they will card all who attend and issue the bracelets required to purchase a drink at this event. This is a 21 Plus Event and ID is required by all.

Lucy's will offer a shuttle bus service to attendees who don't want to drive to and from, or just rides home to those who need one. We will have additional security to ensure people have a good time and things don't get out of hand. We will have temporary Beer trailers that have a selection tap beers and temporary bars set up inside the tent. There will be a Clean-up Crew that starts at the end of the event to make sure all liter and garbage is removed immediately following the event and the grounds are clear and we leave it better than we found it for our neighbors. Portable Toilets will be set up as well to those that attend to keep the crowds and alcohol consumption in one area and prevent people from wandering outside the designated areas with alcohol.

Entertainment

There will be 2 to 3 bands that play Starting around Noon ending at 10PM with breaks in between so the next group can set up and crowds can rotate in and out. There will be DJ music when the bands are not playing.

To make this happen we would need our Liquor license extended from 11AM to Midnight on St Patrick's Day to include to include the tent we set up in the Parking lot area. Last call in the tent is at 10:30 all drinks are collected and removed before 11 PM to ensure we have quieted down for our neighbors in the community and we can wind it down so people can get home safely. People who wish to hang out for a bit or are waiting for a ride home can wait inside Lucy's that bar will close at 1AM.

Patti You mentioned insurance and liability for the city, if that is a concern we could purchase any additional liability coverage for this event which we may want.

Please let me know if you have any other questions or concerns, again thanks for your consideration, and Joel will be stopping in next week as well.

Have a great weekend!



**Town Board Meeting
March 5, 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