



WHITE BEAR TOWNSHIP

1858
RAMSEY COUNTY
MINNESOTA

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

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AGENDA EXECUTIVE MEETING MAY 30, 2018

1. **10:30 a.m.** - Call Succession Planning Session to Order at Administrative Office Conference Room, 1281 Hammond Road.
2. **11:00 a.m.** - Call Meeting to Order at Administrative Office Conference Room, 1281 Hammond Road.
3. Approval of Agenda (Additions/Deletions).
4. Approval of April 27, 2018 Minutes (Additions/Deletions).
5. DNR Groundwater Management - Update.
6. I & I Program – Update.
7. Water Meter - Update.

11:30 Daniel Nesler, TKDA – Presentation

8. Water Conservation.
9. Ordinance No. 5 (Animal) –Review Special Three Dog License Section.
10. Trails.
 - a. Lake Links
 - b. Bald Eagle Boulevard
 - c. Vento Trail – Town Hall Site
11. Comprehensive Plan – Density of Industrial/Residential PUD's.

1:00 Jerry Auge, Ramsey County Maintenance Engineer – Stillwater Street Resurfacing - Presentation

12. July 2nd Meeting Date Change (4th of July Week).
13. Public Works Director Report.

White Bear Township's Mission:

To provide White Bear Township residents, businesses and visitors with reliable, high quality municipal services while serving as open and responsible stewards of the public trust.



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Agenda
Executive Meeting
May 30, 2018

14. Code Enforcement Officer / Building Inspector Items:
 - a. 1508 Hammond Road - Update
 - b. 2105 Stillwater Street – Vacant Building
 - c. 5456 Township Drive – Update
15. Clerk-Treasurer Report.
16. Open Time.
17. Added Agenda Items.
18. Receipt of Agenda Materials/Supplements.
19. Adjournment.

White Bear Township's
Mission:

To provide White Bear Township residents, businesses and visitors with reliable, high quality municipal services while serving as open and responsible stewards of the public trust.



White Bear Township
Strategic Mission, Vision and Values

Mission:

To provide White Bear Township residents, businesses and visitors with reliable, high quality municipal services while serving as open and responsible stewards of the public trust.

Vision:

White Bear Township as an attractive community that residents and businesses are proud to call home and provides the welcoming, practical and engaging spirit of Township “grassroots” government.

What We Value:

- 🏛️ **Real Citizen Participation:** Residents of White Bear Township having a voice in the operation and substance of their local government.
- 🏛️ **“Township Nice”:** Ensuring people feel comfortable and welcome when meeting with our Town Board and when interacting with Township staff.
- 🏛️ **Transparency and Trust:** Conducting our business in an open and public manner and be responsive to concerns. Provide a communication system to help residents and businesses to be well informed of Township activities.
- 🏛️ **Being Grounded in Common Sense:** Knowing who we are with a strong focus on essential functions.
- 🏛️ **Flexibility:** Showing a capacity to adjust, accommodate and be open to new ideas and methods.
- 🏛️ **Collaboration:** Working together with our neighbors, other communities and other levels of government to advance our Township Mission and Vision.
- 🏛️ **Financial Responsibility:** Demonstrating care in our management and allocation of the financial resources necessary to provide the services needed to sustain a vibrant future for our Township.



**Town Board Executive Meeting
May 30, 2018**

Agenda Number: 1

Subject: Succession Planning Session

Documentation: None

Action / Motion for Consideration:



**Town Board Executive Meeting
May 30, 2018**

Agenda Number: 2 – 3 - 4

Subject: Approval of May 30, 2018 Agenda
Approval of April 27, 2018 Minutes

Documentation: May 30, 2018 Agenda
April 27, 2018 Minutes

Action / Motion for Consideration:

Call meeting to order:

Approval of Agenda:

Approval of Minutes:

May 30, 2018 (additions/deletions)

April 27, 2018 (additions/deletions)

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The meeting was called to order at 11:05 a.m.

Present: Supervisors: Kermes, Prudhon, Ruzek; Clerk: Short; Attorney: Lemmons; Finance Officer: Kelly; Public Works Director: Reed; Planner: Riedesel; Code Enforcement/Building Official: Johnson; Engineer: Studenski.

APPROVAL OF AGENDA (Additions/Deletions): Prudhon moved approval of the agenda with the following amendments: Add: Item 12D) Vento Trail – Town Hall Site; 21A) Local Surface Water Management Plan; 21B) Nathan Haase, 4133 Oakmede Lane – Haase Email; 21C) Lake Avenue / Overlake Corner. Ruzek seconded. Ayes all.

APPROVAL OF MARCH 16, 2018 MINUTES (Additions/Deletions): Ruzek moved approval of the March 16, 2018 Minutes. Prudhon seconded. Ayes all.

DNR GROUNDWATER MANAGEMENT UPDATE: The Town received correspondence from the DNR relative to the Town's request for a contested case hearing contesting the conditions attached to Permit No. 1984-6120 and 1984-6121 requiring a residential irrigation ban, a per capita water use plan, and implementation of and reporting around collaborative water conservation efforts. Because of the contested case hearing, as a matter of law, the Commissioner's Order issued on February 28, 2018 amending the permits ceases to be a final order and therefore, the amendments to the permits are in abeyance until the final resolution of the requested contested case hearing. Subsequently, the DNR denied the portion of the Town's appeal of the Commissioner's January 17, 2018 Order amending permit No. 1984-6120 and 1984-6121 to require a contingency plan to convert to surface water sources. The appeal period for that amendment expired on February 16, 2018. The deadline for the Town to file with the State Court of Appeals is at the end of May.

Kermes moved to confirm approval for the Town Attorney to file notice of appeals to the Court of Appeals and to provide reports during the appeal process. Ruzek seconded. Ayes all.

I & I PROGRAM – FLOW MONITORING: Joint pipe sealing for sections including Cottage Avenue, Prospect Avenue and Lakeview Avenue as well as a small section of gravity line between the West Bald Eagle easement and Lift Station #3 have been completed. There were additional leaks found and corrections were taken care of. The work completed has satisfied the Metropolitan Council's requirement to invest in I & I improvements.

WATER METER – UPDATE: A meeting was held with the representatives of Sensus and Core & Main regarding defective water meters. They request that ten to twelve additional meters be more extensively tested. The meters will be tested more quickly after being pulled from the house. An independent testing lab will be selected. The Town will pull the meters and Sensus and Core & Main will ship the meters to the lab.

11:30 A.M. - DALE HAIDER – WBT THEATRE RENOVATION / LIQUOR LICENSE: The Muller Family Theatres have been sold to Northwood Entertainment which will operate the theater as Emagine White Bear Township. Emagine is undertaking a large renovation of the theaters including the addition of a restaurant and bar. There will be 1300 chairs in the auditorium and 45-

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50 soft seats in the liquor area. They would like a full bar in the front lobby. There will be a two drink limit per customer. They will card everyone under 30 years of age. Staff contacted the attorney who handles the liquor licensing for the company and advised her of the requirements for a liquor license in the Township. She stated that with the addition of the restaurant and bar, the theater will need to apply for an on-sale liquor license and wishes to have the entire premises licensed for liquor sales. Based on this information the same licensing procedure/requirements will be followed as with any restaurant in the Township. The theater will greatly exceed the minimum seating of 100; and the ratio of liquor and food sales (at least 50% of sales from food) is not an issue. An annual food to liquor ratio letter will be required. It was noted that the sign is unattractive. They have a signed contract with a sign contractor. The sign will be a digital reader board.

SPECIAL THREE DOG LICENSE DISCUSSION: 1) RESIDENT LETTER; 2) OPTIONS:

Correspondence dated March 21, 2018 was received from Tommy Thompson, 5646 Fisher Street providing his feedback relative to yearly dog license requirement. He gathered information from 18 different city offices and found that White Bear Township was the most expensive. He feels that the Township's administrative requirement for the 3 or more dog license is much greater than all the surrounding municipalities. The letter was received and the Board will review his comments and if the process can be streamlined, the Board would look into it.

NO PARKING REQUEST FOR GRAD PARTY: Pam Farrell, 5228 East Street has inquired as to the procedure for requesting a No Parking Zone Waiver. They will be hosting a graduation party for her child on Saturday, June 9, 2018 and would like to have two no-parking signs located in front of her house covered to allow for parking for her guests. She would like the signs covered from 10:00 a.m. – 10:00 p.m. The Town has granted "No-Parking" Zone Waiver requests for residents for similar events. Section 1-9 a-e of Ordinance No. 17 provides policy and application process. This information was provided to Pam Farrell and she has provided an application for the "No-Parking" Waiver permit. The request will be placed on the Consent Agenda for the May 7, 2019 Town Board Meeting.

PUBLIC HEARING SCHEDULE AT TOWN BOARD MEETINGS: The Clerk reported that it has been the Town's practice that when a public hearing is needed for a particular matter the public hearing is set for a specific date and specific time. During the April 16, 2018 meeting the hearings were set for specific times and most, if not all, did not take the allotted 10 minutes causing agenda items to be taken out of order just to fill the time before the next hearing could start. Agenda structures regarding public hearing schedules for surrounding cities (Vadnais Heights, Hugo, Lino Lakes, White Bear Lake, Shoreview and Arden Hills) were reviewed. These cities appear to establish a heading called "Public Hearings" immediately after the "consent" section of their agendas and list the hearings there. There was discussion regarding considering this format change. If it is known that a public hearing would require a lot of time, a specific time could be stated. The Town Attorney stated that the Town could do whatever they would like to do just as long as it is consistent. It was the consensus to discontinue the practice of scheduling each public hearing for a specific time, rather initiate the public hearing schedule to follow the consent agendas. It was noted that each agenda will have the Town's Mission Statement printed at the bottom.

TABLET PRICING FOR TOWN BOARD MEMBERS: Staff has been looking into the possibility of providing tablet or laptop computers so that the Board could receive their agenda packets electronically and to make notes on them prior to the meeting and at the meeting. Roseville IT suggested either an iPad with an app for note taking and stylus pen or a Dell tablet bundle. The price of an iPad would vary based on the iPad feature whereas the Dell tablet costs about \$1,300 each. If the Town Board elects to choose the iPad option, the costs will range from \$399.00 up to \$1,279.00 depending on iPad size and memory capabilities. To take notes on the screen an Apple Pencil, which costs about \$99.00 will be needed. The other accessories would include a keyboard at a cost of \$159.00 and cover, which costs range from \$49.00 up to \$159.00. Roseville does not support the iPads but would support the Dell tablet, but Roseville still recommends the iPad. The Dell tablets could have Metro INET support. The Town's Capital Improvement Plan includes \$18,750.00 for computers in 2018. The majority was for replacement of a server, which won't be purchased in 2018. The other was for a laptop for the building inspector which is on order. The only other computer purchase would be the replacement of the Planner and Clerk Treasurer's computer and replacement of the Town's laptop. All of these purchases will cost less than \$5,000.

It was the consensus that the matter be pursued and that the Finance Officer draft a proposal for three iPads, software, and training for the Town Board.

OUTSTANDING DEBT CHART: The Finance Officer stated the Town currently has outstanding debt of \$1,640,000.00 which is the lowest amount since 1994. The Town last issued debt in 2011 at which time the Town issued 3 bond issues. One was for improvements; one financed a water project and refinanced other utility bonds; and the third issue refinanced a TIF Bond. The highest rate is 4% on the 2008 improvement and water revenue bond. This bond will be paid off in 2019. The remaining three bond issues have rates ranging from 1.35% up to 2.15%. If the Town were not to issue any new debt in the future all bonds would be paid off in 2022. The Finance Officer stated that the Town is very strong financially and the information provided was an update.

TRAILS: 1) SOUTH SHORE BOULEVARD; 2) BALD EAGLE BOULEVARD; 3) CAPRA PROPERTIES TRAIL: **South Shore Boulevard:** The draft South Shore Boulevard Trail Preliminary Design Development Report was reviewed. The recommendation of the one-way separated option scored the highest, however the recommendation is to hold off identifying this option as the preferred alternative at this time and to do further study on these and other trail options outside the South Shore Boulevard corridor. The justification for this recommendation is based on: 1) magnitude of cost when compared to their perceived benefits; 2) proximity of other county roadway facilities that potentially may be better suited for a regional trail; 3) view of the overall trail network from a larger vantage point and broaden their look, rather than focus merely on the proximity to the lakeshore; 4) limited and irregular right-of-way of South Shore Boulevard; 5) resulting scores for five of the options are within a small fraction of each other with no clear preference; 6) obtaining mutual jurisdictional support; and 7) the need for additional information to make a more informed recommendation. **Lake Links Association:** A draft of a letter to Senator Chuck Wiger and Representative Peter Fisher from Steve Wolgamot regarding the Lake Links Trail was reviewed. The letter identified critical locations on the Lake Links Trail and the cost to fix them. The engineering estimates reflect a total construction expenditure of over \$14 million. That cost has been reduced dramatically by selecting safe alternate routes in the few

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locations where they are available and by identifying right of way and easements independent of highways with resulting lower construction cost. The estimated cost of improvements at each location was included in the letter. **Bald Eagle Boulevard Trail:** The Clerk reported that he spoke with Joe Lux, Ramsey County Transportation Planner regarding the Potential Summer 2018 Trial Scenario that Chris Hiniker recommended for the E/W Bald Eagle Boulevard from Park Avenue to County Road H-2. His proposal included: 1) two-way traffic; 2) reduce traffic lanes to 10 feet; 3) reduce speed to 20 mph; 4) equal shoulder width on both sides of the road. Joe Lux's comments included: 1) current driving lanes are currently striped at 11 feet in most areas; 2) the County would be willing to restripe to 10 feet as proposed; 3) West Bald Eagle Blvd. from Bald Eagle Avenue to County Road J is scheduled for a mill and overlay project in 2019; 4) restriping in 2018 may be a problem as grinding off the current striping on some bad edges and would not be effective in some areas. Joe Lux suggested that it would be more cost-effective and useful if the changes took place after the 2019 mill and overlay project; 5) 20 mph speed limits are governed by the State and are allowed in only certain situations. Joe Lux will review these rules and get back to the Clerk. The Public Works Director will work with Ramsey County regarding trimming the trees which are obstructing sight lines and where signs could be placed.

UTILITY PROGRAM COORDINATOR POSITION: This agenda item was deleted.

EMERALD ASH BORER MANAGEMENT PLAN: A status report was provided on the Emerald Ash Borer Management Plan. The Emerald Ash Borer has made its presence close to the Township after being identified near Buerkle Road in the City of White Bear Lake. Costs have been estimated for inventorying ash trees in Town parks and treatment cost versus removal of infected trees. The Public Works Director recommended that, at a minimum, a survey be completed to provide a more accurate estimate of potential costs with any alternatives. The Planner will do an inventory of trees in Town parks this spring and summer when affected trees would be more easily noticed.

2018 DEER SURVEY – RECEIVE: Ramsey County Parks and Recreation Department provided a summary of the 2017 deer hunt. Fourteen deer were harvested in the Township in 2017. Ramsey County does not plan any hunts this fall in County parks because the numbers are down. However, they would hunt the Benson Airport property where deer seem to hang out.

MAY EXECUTIVE MEETING DATE CHANGE – HOLIDAY WEEKEND: Due to scheduling problem, the May Executive Meeting will be rescheduled to June 1, 2018 beginning at 11:00 a.m.

PUBLIC WORKS DIRECTOR REPORT: The Public Works Director is recommending that the Town participate in a cost-share purchase with the City of Hugo of a Vehicle Gateway Base Station for automated meter reading. The Town currently reads the water meters using a handheld device. Staff has been considering a request for purchase another handheld model, identical to the one purchased in 2016 for \$6,500.00. Recently the City of Hugo and Town staff discussed the possibility of jointly purchasing a VGB to be shared between both communities. The VGB can be placed on the passenger side, or in a rear seat, of a vehicle with a portable antenna mounted on the exterior. The VGB is connected to a laptop in the vehicle that has a screen with a GIS map that has each of the radio read locations shown. If a meter is not successfully read, the meter reader can then revisit the site to troubleshoot the failed read. The

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VGB will allow utility billing to upload the meter read routes into it. In response to a question regarding who would claim the equipment as a fixed asset, the Finance Officer stated that either the City of Hugo or the Township would have the equipment listed on their fixed asset list. Cost share purchase of 1 Vehicle Gateway Base Station, with laptop, software, GPS, Ramsey County Mapping Module, set up and training would be \$10,125.00. Funding would be provided by the Water Fund. Staff will come back with an Agreement for the cost share purchase.

The Public Works Department Activity for the month of April 2018 was reviewed.

CODE ENFORCEMENT OFFICER / BUILDING INSPECTOR ITEMS: 1) 1508 HAMMOND ROAD – MANLEY VACANT BUILDING; 2) 5734 MEADOWVIEW DRIVE – HOUSING CODE VIOLATIONS; 3) 2105 STILLWATER STREET – VACANT BUILDING; 4) 5456 TOWNSHIP DRIVE – CONSIDER ENFORCEMENT ACTION; 5) 4221 OTTER LAKE ROAD – ZONING CERTIFICATE VIOLATIONS; 6) 5966 HIGHWAY 61 – COMMERCIAL VACANT BUILDING; 7) 1185 NORTH BIRCH LAKE BOULEVARD – ZONING CERTIFICATE VIOLATIONS; 8) RENTAL PROPERTIES: 1508 Hammond Road: Bank of America registered the vacant property on April 5, 2018. The property preservation company responsible for maintenance and service to the property is Safeguard Properties. Any notice of violations or concerns can be directed to Safeguard Properties. The Building Inspector informed them of the appliances that had been set outside the front door. He went inside this week and found the house not habitable. He anticipates that they will maintain and clean up the property. 5734 Meadowview Drive: Mr. Williams has most of the items resolved and a lot of the cleanup is done. Mr. Williams said he completed the shingles on the bay window yesterday and he has the paint for the trim. The next court date is June 21, 2018. Hopefully everything will be completed by that date. 2105 Stillwater Street – Vacant Building: On April 4, 2018 the Ramsey County Sheriff's Office and the White Bear Lake Fire Department responded to a complaint of an extremely strong natural gas odor on the exterior of the home. It was determined that the kitchen stove was leaking natural gas. The home's electrical and natural gas system have been disabled and locked. The Town's water supply is turned off at the street. During the incident Town Staff conducted an evaluation of the home. The dwelling is in very poor condition with all utilities inoperable. A strong odor of mold and mildew is present. The interior of the home is cluttered with personal property. The Building Official has determined the dwelling as unfit for human habitation and posted the property accordingly. It was noted that if necessary for public safety the Town can take the house down to abate the nuisance and assess the property. It was noted that the property owner be informed of where to go for help and how to apply for a grant. The Building Official talked with the property owner today and they are committed to cleaning up the property. It was noted that a rehabilitation plan could be to allow five months to do the necessary work. After five months, if the work is not done, the Town will have the house taken down. 5456 Township Drive: A citation has been issued for housing code violations. In response to a question if the Town can evict tenants in rental property if the rental license is expired, the Town Attorney stated that the Town can post the property. The Code Enforcement Officer talked with the property owner today and the Ford van which has been unlicensed and inoperable has been removed. There was discussion regarding property owners who have a long history of violations and if an increased administrative fee can be charged for each day/week/month that the violation continues after being notified of violations. The Town Attorney stated that the Ordinance can be amended to change the fees for violations. 4221 Otter Lake Road: On July 18, 2016 the Town Board approved the installation

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of a second cooling tower on the north side of the Wilbert Plastics building on Otter Lake Road. Town Board approval of the cooling tower was contingent upon the installation of a sound barrier and compliance with all applicable building codes. The cooling tower was constructed and presumed operational in the summer of 2017. The sound barrier is not complete. The verification of proper protection of the Town's potable water supply has not been verified. On March 20, 2018 the Town received a response informing of full intention to comply. **5966 Highway 61:** On March 21, 2018 notification was sent to FMB Properties LLC regarding Zoning Certificate Compliance. On June 6, 2005 the Town issued a Permitted Use Zoning Certificate for the construction of Zappa Sports located at 5966 Highway 61. The Zoning Certificate was issued contingent upon: 1) (Item #1 of Zoning Certificate) completion of the approved Site, Landscaping & Elevation Plan dated April 12, 2005. Additional Shrubbery, conifer, and deciduous trees; and 2) (Item #10 of Zoning Certificate) compliance with all state and local building and zoning codes. The parking lots second lift must be completed. Striping of the parking lot must be done and ADA parking space is required and must be identified with installation of the required signage. Compliance must be completed before the Town issues any permits for this property. **1185 North Birch Lake Boulevard – Zoning Certificate Violations:** Correspondence was sent on August 17, 2017 to Richard Farrell, Nextern, Inc. regarding deficiencies which were to be brought into compliance within a reasonable amount of time. Compliance with the following were outlined in the letter: 1) A sign permit was issued to Signation Sign Group on July 19, 2017 approving the installation of Nextern's sign. The contractor's disregard for the approved plans and a disregard for the required inspection has resulted in the sign not being completed and placed outside Nextern's property lines; 2) Dumpster storage on the exterior of the facility must be enclosed and screened. The proposed dumpster enclosure location and architecture must be reviewed and approved by the Township; and 3) A landscape plan must be submitted to the Township for review and approval. The lack of proper landscaping and erosion control continues to negatively affect the environment. Implementation of the approved landscape plan was to be completed by September 29, 2017. There was discussion regarding the lack of compliance from Nextern. It was noted that the Town went out of the way to assist Nextern with their building proposals. The Clerk will contact Richard Farrell directly to discuss the lack of compliance and will report back. **Rental Properties:** The Code Enforcement Officer reviewed a graph of rental licenses from 2008-2018. Currently there are 178 rental licenses issued. It was noted that the Public Safety Commission has been reviewing and discussing rental licenses in the Township relative to a few rental properties which have been problematic. They are reviewing the Rental Ordinance relative to holding property owners responsible for problem properties.

CLERK-TREASURER REPORT: Information submitted as part of the Bald Eagle Trail.

VENTO TRAIL – TOWN HALL SITE: Ramsey County is finalizing the trail. They are interested in looking at the old Town Hall site on Hoffman Road as a trail hub. Twenty parking spaces would be needed. It was noted that St. Croix Valley Hardwoods is leasing a portion of that property for employee parking. Staff will check to see if the lease is a long term lease.

LOCAL SURFACE WATER MANAGEMENT PLAN: Engineering and staff met on Monday. A draft of the final plan will be available for the May Executive Meeting. It will list projects for storm water projects in conformance with VLAWMO and RCWD. The Public Works Director is adding projects to the list. When all projects are included a 10 year plan will be put together including

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cost. Funding approvals must be included in the plan. The Plan will be included in the Town's Comprehensive Plan and the Plan will be provided to the watershed districts for their review.

NATHAN HAASE, 4133 OAKMEDE LANE – EMAIL: Nathan Haase, 4133 Oakmede Lane has requested that the invoice 01-675 for legal fees be withdrawn or canceled. He noted that the rationale for his request is based on the principle of fairness. Mr. Haase was reminded that he was informed about the Board of Appeals & Adjustments process and the costs involved. He eventually withdrew his request.

LAKE AVENUE / OVERLAKE CORNER: The concern of a resident and request that the Town post a "no parking" sign at the corner of Lake Avenue and Overlake was reviewed by the Public Safety Commission. Parking in that area is very tight and there is no place for residents to park on the street. The Ramsey County Sheriff's Traffic Deputy looked at the site and determined that it would be good to post the area as "no parking". It was the consensus of the Board to post the signs after Town Traffic Engineer input.

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

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

Prudhon moved to adjourn the meeting at 4:00 p.m. Ruzek seconded. Ayes all.

Respectfully Submitted,

William F. Short
Clerk-Treasurer



Town Board Executive Meeting April 27, 2018

Agenda Number: 5

Subject: DNR Groundwater Management - Update

Documentation: Star Tribune Article

Action / Motion for Consideration:

Town Clerk Report at Meeting / Discuss

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DNR GROUNDWATER MANAGEMENT UPDATE: The Town received correspondence from the DNR relative to the Town's request for a contested case hearing contesting the conditions attached to Permit No. 1984-6120 and 1984-6121 requiring a residential irrigation ban, a per capita water use plan, and implementation of and reporting around collaborative water conservation efforts. Because of the contested case hearing, as a matter of law, the Commissioner's Order issued on February 28, 2018 amending the permits ceases to be a final order and therefore, the amendments to the permits are in abeyance until the final resolution of the requested contested case hearing. Subsequently, the DNR denied the portion of the Town's appeal of the Commissioner's January 17, 2018 Order amending permit No. 1984-6120 and 1984-6121 to require a contingency plan to convert to surface water sources. The appeal period for that amendment expired on February 16, 2018. The deadline for the Town to file with the State Court of Appeals is at the end of May.

Kermes moved to confirm approval for the Town Attorney to file notice of appeals to the Court of Appeals and to provide reports during the appeal process. Ruzek seconded. Ayes all.

It's lawns vs. White Bear Lake

Cities are contesting restrictions on groundwater permits.

By ERIC ROPER
eric.ropер@startribune.com

An unprecedented order last year to throttle water use in the northeast metro area pitted the freedom to water lawns against the size of White Bear Lake.

The lawns appear to be winning — for now.

Eleven cities are fighting court-imposed residential irrigation bans intended to boost the levels of White Bear Lake, which a judge concluded was receding because nearby wells sucked up too much groundwater. The Legislature moved

this week to pause irrigation bans and other court-ordered changes, which cities say are unfair and ineffective.

"If you wanted to do a good job managing the resource, you would never do these things," said Bryan Bear, the city administrator of Hugo. "Not only are they impactful and expensive to deal with and inconvenient... but they're also counterproductive."

The problem might not exist if cities pulled their water from the Mississippi River, as Minneapolis and St. Paul do, rather than tapping aquifers deep underground. But the

Legislature hasn't been willing to pay for such a regional system, which the Metropolitan Council estimates could cost between \$150 million and \$620 million depending on how many cities are connected.

Spring was blooming around the lake one recent morning, as blackbirds perched on reeds, turtles surfaced and fisheries staff checked their nets for muskies. A casual observer would be hard-pressed to spot a problem with the lake.

Last year's controversial ruling by Judge Margaret Marrihan stemmed from a 2013
See LAKE on B8 ▶



AARON LAVINSKY • aaron.lavinsky@startribune.com
Anthony Brooks, a freshman at White Bear Lake high's north campus, released a largemouth bass he caught in the lake.

Drawing water: Map of 44 affected wells and water usage in 2016. B8



That one thing you like? Not happening

JENNIFER BROOKS

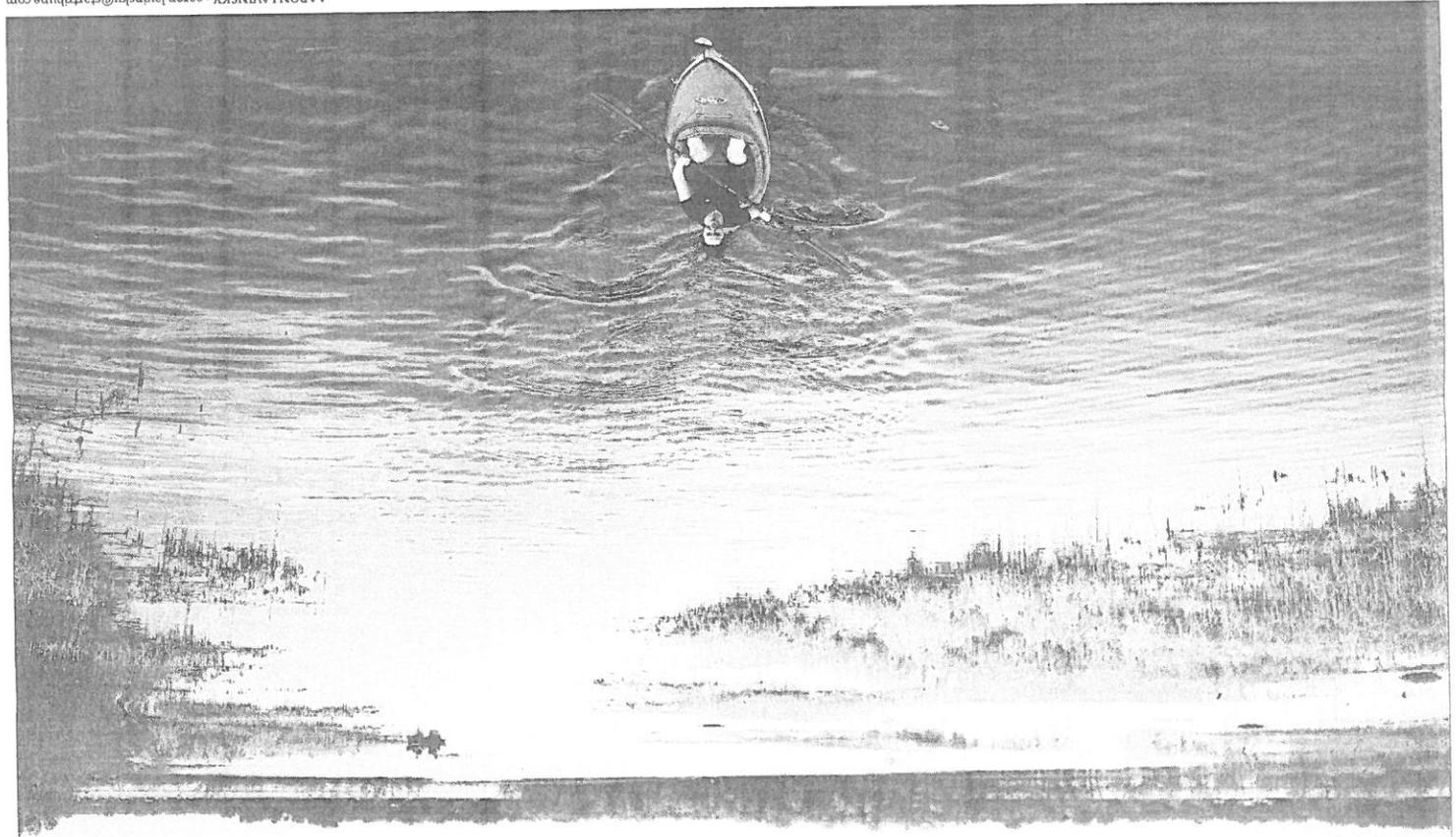


Minnesota lawmakers knocked on a lot of doors and sacrificed a lot of time away from their families and day jobs to come to St. Paul.

None of them came with the intention of making laws in the dumbest possible way. But here we are.

The Legislature has a few more hours to wrap up its work for the year. Most of that work could have been done weeks or months ago, but this session, like every session, ends in a last-minute rush to push a big wad of bills, tax cuts, good intentions, and typos out the door before midnight Sunday.

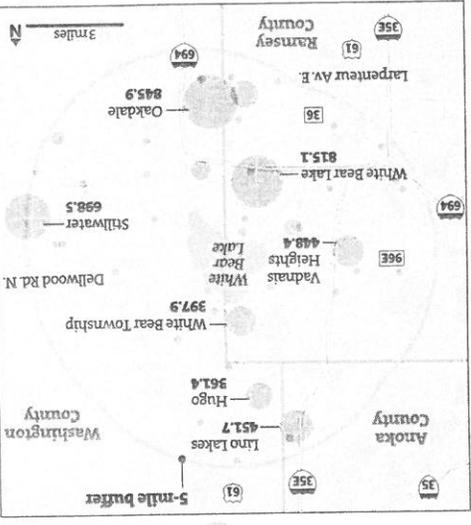
That unwieldy wad is the 2018 omnibus supplemental agriculture, environment and natural resources, jobs, energy, economic development, housing, and state government bill. It was a heavy enough bill



Cities fight irrigation bans intended to protect lake

RULING'S WIDE IMPACT
A judge's ruling last year to rein in water use around White Bear Lake impacted 44 permitted wells within a five-mile radius of the shoreline. All 11 city water providers in the affected area challenged the new limitations, which include an irrigation ban tied to lake levels. Some city leaders say they are unfair and would be ineffective.

Well location and usage in millions of gallons, 2016
Over 820 million gallons



Sources: MN DNR, NCompass Technologies
RAY GRUMNEY • Star Tribune

that water isn't used for the wrong purposes any more," Bear added that limitations on per capita use would encourage cities to build apartment buildings, which consume more water but use less per person.

The cities have challenged the restrictions, putting the new requirements on hold. The bill that passed the Legislature and awaits Gov. Mark Dayton's signature would Lake levels also dropped from the late 1980s into the early 1990s, but USGS hydrologist Perry Jones said that was during a major drought. Since then, development has sprawled into the area, and groundwater pumping has accelerated.

Jones said the drop in lake levels between 2003 and 2010 was similar, but there was no different factor that we felt was causing that drop," he said. Unusually high rainfall in recent years has refilled the lake and seeped into the aquifer. But if rain returns to normal, water pumping may cause the lake to recede once more.

Eric Roper • 612-673-1722
Twitter: @StribRoper

Paul, whose 400,000 customers got roped into the regulars because the city maintains a number of emergency wells within the 5-mile radius of White Bear Lake.

"To be included in the group to a watering ban when we are 100 percent surface water, it just doesn't make sense," said Steve Schneider, general manager of St. Paul Regional Water Services. "It's not going to impact the level of White Bear Lake."

Other cities, such as White Bear Lake, say it's unfair to put that burden solely on residents and not on commercial or public properties.

"You would find commercial properties and public properties being irrigated — or having the opportunity to irrigate at least — and residents not. And therein lies some conflict," said White Bear Lake City Manager Ellen Richter.

It's also difficult to enforce. "It will shift the focus into something that's really difficult to do, and that's to convince you and all your neighbors to stop watering the lawn or face some sort of punishment," said Bear, of Hugo. "And it involves the city employing staff to really try to make sure

fighting the irrigation ban is St. Ironically, one of the cities said DNR Assistant Commissioner Barb Narumore.

has required us to impose will have very limited effect in irrigation ban that the court that we have suggested that the declines in some parts of the water for 83 communities in the Twin Cities.

"We're 12 years away from a crisis, and White Bear Lake is willing us that the crisis is coming," Markoe said.

The judge's order required Markoe wished cities were responding more proactively to the judge's ruling. He noted that if current trends continue, the Met Council has projected declines in some parts of the water for 83 communities in the Twin Cities.

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"We're 12 years away from a crisis, and White Bear Lake is willing us that the crisis is coming," Markoe said.



Town Board Executive Meeting May 30, 2018

Agenda Number: 6

Subject: I & I Program – Update

Documentation: None

Action / Motion for Consideration:

Report at Meeting / Discuss

Minutes
Executive Meeting
April 27, 2018

I & I PROGRAM – FLOW MONITORING: Joint pipe sealing for sections including Cottage Avenue, Prospect Avenue and Lakeview Avenue as well as a small section of gravity line between the West Bald Eagle easement and Lift Station #3 have been completed. There were additional leaks found and corrections were taken care of. The work completed has satisfied the Metropolitan Council's requirement to invest in I & I improvements.



Town Board Executive Meeting May 30, 2018

Agenda Number: 7

Subject: Water Meter – Update

Documentation: None

Action / Motion for Consideration:

Town Engineer Report at Meeting / Discuss

Minutes
Executive Meeting
April 27, 2018

WATER METER – UPDATE: A meeting was held with the representatives of Sensus and Core & Main regarding defective water meters. They request that ten to twelve additional meters be more extensively tested. The meters will be tested more quickly after being pulled from the house. An independent testing lab will be selected. The Town will pull the meters and Sensus and Core & Main will ship the meters to the lab.



**Town Board Executive Meeting
May 30, 2018**

Agenda Number:

Subject: 11:30 Daniel Nesler, TKDA - Presentation

Documentation:

Action / Motion for Consideration:

Report at Meeting / Discuss



**Town Board Executive Meeting
May 30, 2018**

Agenda Number: 8

Subject: Water Conservation

Documentation: Current Reporting Policy /
Warning/Violation Tags /

Action / Motion for Consideration:

Report at Meeting/ Discuss

SPRINKLING VIOLATIONS REPORTING POLICY

It shall be White Bear Township policy to allow Town Employees to submit sprinkling ordinance violations on a "Statement Form", and the Code Enforcement Officer will then issue a warning or administrative fee or citation, based on the violation as witnessed by the Town Employee.

Adopted by the Town Board June 7, 1993

c:sprinkling

ROBERT F. LYDON
ATTORNEY AT LAW
201 MIDWEST FEDERAL BUILDING - SKYWAY LEVEL
50 EAST FIFTH STREET, ST. PAUL, MINNESOTA 55101

*Policy
file*

ROBERT F. LYDON

PATTI L. SKILLINGS
PARALEGAL

TELEPHONE 222-1446
AREA CODE 612

May 24, 1993

Town Board of Supervisors
TOWN OF WHITE BEAR
1281 Hammond Road
White Bear Township, Minnesota 55110



Re: Town Employees Witnessing
Sprinkling Ordinance Violations

Dear Town Board Members:

Based on the Utility Commission's inquiry requesting an opinion on whether a Town employee could witness a sprinkling ordinance violation and then inform the Code Enforcement Officer so that he could issue a violation and/or citation, I submit the following:

I contacted the Town Prosecutor and it was agreed that a Town employee could observe a violation and report it to the Code Enforcement Officer who could then issue a violation and/or citation; however, the Town employee observing the violation should make out a written report on a Statement Form which the Code Enforcement Officer has a supply of.

Sincerely,

A handwritten signature in cursive script that reads "Robert Lydon".

ROBERT F. LYDON

RFL/pls

SPRINKLING VIOLATION

A SPRINKLING VIOLATION HAS BEEN OBSERVED AT THE FOLLOWING PROPERTY:

TIME OF DAY: _____

DATE: _____

A WARNING NOTICE HAS PREVIOUSLY BEEN ISSUED FOR THIS PROPERTY.

**PER WHITE BEAR TOWNSHIP
ORDINANCE NO. 12:**

**YOU WILL BE CHARGED AN
ADMINISTRATIVE FEE OF
\$40.00
FOR THIS VIOLATION**

THIS FEE WILL BE ADDED TO YOUR QUARTERLY UTILITY BILL. PLEASE BE AWARE THAT THIS FEE WILL BE CHARGED FOR **EACH** ADDITIONAL VIOLATION THAT OCCURS. THIS FEE SHALL BE IN ADDITION TO ANY OTHER PENALTIES IMPOSED BY ORDINANCE NO. 12.

Sprinkling restrictions are in effect for the entire year. Lawns can only be watered on the following days and during the following hours:

**ODD NUMBERED HOUSES
ODD NUMBERED DAYS
EVEN NUMBERED HOUSES
EVEN NUMBERED DAYS
ONLY DURING THE HOURS OF
6 a.m. to 10 a.m.
and
6 p.m. to 10 p.m.**

WHITE BEAR TOWNSHIP 429-5827
Code Enforcer:

Signature

DATE: _____

ADDRESS: _____

TIME OF DAY: _____

WARNING SPRINKLING RESTRICTION VIOLATION

A SPRINKLING RESTRICTION IS IN EFFECT FOR WHITE BEAR TOWNSHIP. PER ORDINANCE NO. 12, LAWNS CAN ONLY BE WATERED ON THE FOLLOWING DAYS AND DURING THE FOLLOWING HOURS FOR THE ENTIRE YEAR:

**ODD NUMBERED HOUSES
ODD NUMBERED DAYS**

**EVEN NUMBERED HOUSES
EVEN NUMBERED DAYS**

**only during the hours of
6 a.m. to 10 a.m.
and
6 p.m. to 10 p.m.**

CONTINUED VIOLATIONS WILL RESULT IN AN ADMINISTRATIVE FEE OF \$40.00 FOR EACH VIOLATION. THIS FEE SHALL BE IN ADDITION TO ANY OTHER PENALTIES IMPOSED BY ORDINANCE NO. 12.

CODE ENFORCER

Signature

WHITE BEAR TOWNSHIP
651-429-5827



**Town Board Executive Meeting
May 30, 2018**

Agenda Number: 9

Subject: Ordinance No. 5 (Animal) – Review Special Three Dog License Section

Documentation: Staff Memo /
Ordinance No. 5 Excerpt

Action / Motion for Consideration:

Report at Meeting / Discuss

**Minutes
Executive Meeting
April 27, 2018**

SPECIAL THREE DOG LICENSE DISCUSSION: 1) RESIDENT LETTER; 2) OPTIONS:

Correspondence dated March 21, 2018 was received from Tommy Thompson, 5646 Fisher Street providing his feedback relative to yearly dog license requirement. He gathered information from 18 different city offices and found that White Bear Township was the most expensive. He feels that the Township's administrative requirement for the 3 or more dog license is much greater than all the surrounding municipalities. The letter was received and the Board will review his comments and if the process can be streamlined, the Board would look into it.

MEMORANDUM

TO: TOWN BOARD
FROM: PATTI WALSTAD
DATE: MAY 23, 2018

SUBJECT: SPECIAL THREE DOG LICENSE AMENDMENT

In August of 2016 Ordinance No. 5, Section 5-6.2 was added which reads as follows:

5-6.2. SPECIAL THREE DOG LICENSES. All Special Three Dog Licenses shall expire four (4) years after date of issuance and may be reissued without a public hearing provided no complaints have been received and upon receipt of a completed application, payment of the fee, and a site visit by the Town Animal Control Officer.

All of the licenses that were renewed this year are now on the 4-year schedule so the above procedure will be followed going forward.

PSW/s

5-6.2. SPECIAL THREE DOG LICENSES. All Special Three Dog Licenses shall expire four (4) years after date of issuance and may be reissued without a public hearing provided no complaints have been received and upon receipt of a completed application, payment of the fee, and a site visit by the Town Animal Control Officer.

5-7. LOST LICENSE FEE. In the event that a metallic license tag issued for a dog shall be lost, the owner may obtain a duplicate tag upon the payment of \$1.00.

5-8. LICENSE TRANSFER FEE. If there is a change in ownership of a dog during the license term, the new owner may have the current license transferred to their name upon application and the payment of a transfer fee of \$1.00.

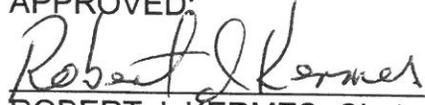
5-9. No person shall use for any dog, a license receipt or license tag issued for another dog or counterfeit or attempt to counterfeit license tags.

SECTION 4. SEVERABILITY. Should any section, subdivision, clause or other provision of this Ordinance be held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of the Ordinance as a whole, or of any part hereof, other than the part held to be invalid.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect and be in force from and after its passage and publication.

Passed by the Town Board of Supervisors of the Town of White Bear, Ramsey County, Minnesota, this 3rd day of August, 2016.

APPROVED:


ROBERT J. KERMES, Chair

ATTEST:



WILLIAM F. SHORT, Clerk-Treasurer

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

Published in the White Bear Press August 10, 2016



**Town Board Executive Meeting
May 30, 2018**

Agenda Number: 10.a

Subject: Trails

a. Lake Links

Documentation: Email

Action / Motion for Consideration:

Report at Meeting / Discuss

Bill Short

From: Lake Links Association <hoff001@gmail.com@mail26.us4.mcsv.net> on behalf of Lake Links Association <hoff001@gmail.com>
Sent: Monday, May 21, 2018 5:20 AM
To: Bill Short
Subject: Good News!

Dear Friends of Lake Links,

A quick report from the Minnesota Legislature. With 20 minutes left in the session last night, the Legislature passed a bonding bill that includes \$4 million to begin work on Lake Links.

A huge THANK YOU to all of our supporters in the Legislature — particularly Senator Chuck Wiger, who made Lake Links funding his "must have" this session — and to all of you, for all you have done to help make this dream a reality.

More information to come soon.

We will get this done!

Want to change how you receive these emails?

You can [update your preferences](#) or [unsubscribe from this list](#).

This email was sent to bill.short@whitebeartownship.org
[why did I get this?](#) [unsubscribe from this list](#) [update subscription preferences](#)
Lake Links Association · 1837 Park Avenue · Mahtomedi, MN 55115 · USA



Town Board Executive Meeting May 30, 2018

Agenda Number: 10.b

Subject: Trails

b. Bald Eagle Boulevard

Documentation:

Action / Motion for Consideration:

Report at Meeting / Discuss

Minutes
Executive Meeting
April 27, 2018

TRAILS: 1) SOUTH SHORE BOULEVARD; 2) BALD EAGLE BOULEVARD; 3) CAPRA PROPERTIES TRAIL: **Bald Eagle Boulevard Trail:** The Clerk reported that he spoke with Joe Lux, Ramsey County Transportation Planner regarding the Potential Summer 2018 Trial Scenario that Chris Hiniker recommended for the E/W Bald Eagle Boulevard from Park Avenue to County Road H-2. His proposal included: 1) two-way traffic; 2) reduce traffic lanes to 10 feet; 3) reduce speed to 20 mph; 4) equal shoulder width on both sides of the road. Joe Lux's comments included: 1) current driving lanes are currently striped at 11 feet in most areas; 2) the County would be willing to restripe to 10 feet as proposed; 3) West Bald Eagle Blvd. from Bald Eagle Avenue to County Road J is scheduled for a mill and overlay project in 2019; 4) restriping in 2018 may be a problem as grinding off the current striping on some bad edges and would not be effective in some areas. Joe Lux suggested that it would be more cost-effective and useful if the changes took place after the 2019 mill and overlay project; 5) 20 mph speed limits are governed by the State and are allowed in only certain situations. Joe Lux will review these rules and get back to the Clerk. The Public Works Director will work with Ramsey County regarding trimming the trees which are obstructing sight lines and where signs could be placed.



**Town Board Executive Meeting
May 30, 2018**

Agenda Number: 10.c

Subject: Trails

c. Vento Trail

Documentation: White Bear Mini Storage Correspondence

Action / Motion for Consideration:

Report at Meeting / Discuss



**Town Board Executive Meeting
May 30, 2018**

Agenda Number:

11

Subject:

Comprehensive Plan – Density of Industrial/Residential
PUD's

Documentation:

Hoisington Koegler Group, Inc. Memorandum

Action / Motion for Consideration:

Town Planner Report at Meeting / Discuss



MEMORANDUM

TO: Town Board
FROM: Laura Chamberlain, Planning Consultant, HKGI
DATE: May 7, 2018
RE: Comprehensive Plan Land Use Update

The planning team and Township staff have been working with the Metropolitan Council to finalize projections for households and population for 2020, 2030, and 2040 for White Bear Township.

In order to accurately calculate these projections, we must first analyze what the future land uses can yield for households and population. The planning team is preparing a draft of an appendix which will be submitted with the Comprehensive Plan which spells out all of the land use change, and how those elements meet Metropolitan Council requirements.

The most challenging requirement so far has been the designation change of the Community to a "Suburban" designation. With the new "Suburban" designation, new development and redevelopment needs to be at an average of **five units/acre**. For the 2030 plan, the Township had a standard of average of three units/acre, under the designation "Developed Area". After discussion with the Metropolitan Council, the only areas that need to meet five units/acre are those parcels that have a new or changed land use designation, or those that are anticipated to not develop until after the timeline of the 2030 Comprehensive Plan (as that plan was already approved by the Metropolitan Council).

As will be shown in the appendix, there are three major categories of developable residential land uses:

- » There are 51 **vacant platted lots** that are designated as Residential – Low Density. Because they are already platted, these are considered "developed" (they are not going to subdivide further) so their numbers contribute to the overall housing projections. These numbers will not contribute to the new developable land for 2040, so they will not contribute to the average density calculation of 5.0 units/acre
- » There are approximately 52.75 net acres of **vacant or underdeveloped** land that has an FLU of **Low Density Residential**. All 52.75 acres (across 4 areas of the Township) have received interest for development in the last decade. They are likely to be developed by 2030, and are still in compliance with the 2030 plans. As such, their density will not be considered towards the 2040 Community Designation average density calculation of 5.0 units/acre
- » The remaining developable residential land use is the **Residential – PUD** designation. This is the only area where the planning team proposed to have a slight land use change from the

2030 plan. Those changes will be discussed below and **require input from the Planning Commission and the Town Board in order to proceed.**

As far as residential land uses, the Residential – PUD is the only designation that was highlighted to change from the 2030 Plan to the 2040 Plan. The changes are not significant, but are needed in order to meet new standards from the Metropolitan Council.

For reference, there is one parcel with Residential – PUD designation: 5300 Centerville Road on the west side of the town. The parcel is approximately 17.9 total acres, with 13.5 net developable acres (the rest being wetlands). The Residential – PUD designation was established to provide for work-force housing for local industrial employment centers, as well as provide for a variety of housing types and densities within one site.

Below is a breakdown of the densities and acreages of the Residential – PUD designation from the 2030 plan and what is being proposed in the 2040 plan. The planning team’s proposed approach would meet new Metropolitan Council standards for overall community density and would meet allocation of need for affordable housing, which is based on density.

	Land Use	Acres	% of Total Site	Density Range	Minimum Units	Maximum Units
2030 Comp Plan	PUD Low Density	5.4	40%	1.0 – 3.0 units/acre	5	16
	PUD Medium Density	6.1	45%	3.0 – 6.0 units/acre	18	37
	PUD High Density	2.0	15%	6.0 – 10.0 units/acre	12	20
				Total	36	73
				Units/Acre*	2.64	
2040 Comp Plan (Proposed)	PUD Low Density	4.0	30%	1.0 – 3.0 units/acre	4	12
	PUD Medium Density	2.5	18%	3.0 – 8.0 units/acre	8	15
	PUD High Density	7.0	52%	8.0 – 10.0 units/acre	56	70
				Total	68	97
				Units/Acre*	5.0	

* The Metropolitan Council considers community designation from the minimum units/acre for all land uses

Before we send this table, and the appendix to be drafted to the Metropolitan Council for approval, the planning team wants input from the Town Board and the Planning Commission on this change to the Residential – PUD designation. The following items were considered as we adjusted these numbers:

- » Of all locations within the township, this site makes the most sense to accommodate workforce housing, and increased densities
- » The shift of the range of the PUD high density areas allows for the township to count those acres towards affordable housing allocation, which is another requirement for the 2040 plan
- » By meeting the density standards for the Community Designation of 5.0 units/acre, the township will remain eligible for Livable Communities Demonstration Account (LCDA) funds, which the Township has used in the past. If the Township decided to remain at the 2030 density, or at any other density under 5.0 units/acre, that funding will no longer be available.
- » By changing the elements within the PUD, other areas of the Township remain developable as planned in the 2030 plan.

The Planning Commission reviewed these densities at their March 22nd meeting. After discussing, the Planning Commission recommended *not* changing the density of the PUD at all, instead consider it an unchanged land use designation from the 2030 plan. This option would address the Community Designation issue, as no changes are proposed between the 2040 plan and the already approved 2030 plan. However, if the densities go unchanged, the Comprehensive Plan will be out of compliance with the Allocation of Affordable Housing Need set by the Metropolitan Council. It is likely that being out of compliance will prevent the Township's Comprehensive Plan from being approved by the Metropolitan Council.

With these elements to consider, please discuss your reactions and possible concerns of these numbers at your current meeting and Town Planner, Tom Riedesel, will relay the information and direction onto the planning team.

Thank you,

Laura Chamberlain
Planning Consultant
HKGi



**Town Board Executive Meeting
May 30, 2018**

Agenda Number:

Jerry Auge, Ramsey County Maintenance Engineer –
Stillwater Street Resurfacing - Presentation

Subject:

Documentation: None

Action / Motion for Consideration:



**Town Board Executive Meeting
May 30, 2018**

Agenda Number: 12

Subject: July 2 Meeting Date Change (4th of July Week)

Documentation: Calendar

Action / Motion for Consideration:

Report at Meeting / Discuss

Possible Option:

Move July 2nd & July 16th Meetings to July 9th & July 17th

JULY 2018

HERITAGE HALL, 4200 OTTER LAKE ROAD

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2 TB Mtg— Reschedule ?		4 July 4th – Holiday	5 Public Safety Comm Mtg	6	7
8	9	10	11	12 Utility Comm Mtg	13	14
15	16 EDA/TB Mtg 1)2nd Qtr Fin Rpt 2)2nd Qtr Con Rpt 3) Call Sp Mtg Night to Unite 4)Comm Recomm	17 EDAB Mtg 1) Reschedule Aug Mtg	18	19 Park Bd Mtg	20	21
22	17	18	19	20 Planning Comm Mtg	21 Exec Mtg 1) DNR	22
23	24	25	26	27	28	29
30	31					



**Town Board Executive Meeting
May 30, 2018**

Agenda Number: 13

Subject: Public Works Director Report

Documentation: To Be Handed Out at Meeting

Action / Motion for Consideration:

Report at Meeting / Discuss



**Town Board Executive Meeting
May 30, 2018**

Agenda Number: 14.a

Subject: Code Enforcement Officer Report/Building Inspector Items.

a. 1508 Hammond Road – Update

Documentation: Code Enforcement Officer Correspondence

Action / Motion for Consideration:

Receive Information / Discussion

**Minutes
Executive Meeting
April 27, 2018**

CODE ENFORCEMENT OFFICER / BUILDING INSPECTOR ITEMS: 1) 1508 HAMMOND ROAD – MANLEY VACANT BUILDING;: 1508 Hammond Road: Bank of America registered the vacant property on April 5, 2018. The property preservation company responsible for maintenance and service to the property is Safeguard Properties. Any notice of violations or concerns can be directed to Safeguard Properties. The Building Inspector informed them of the appliances that had been set outside the front door. He went inside this week and found the house not habitable. He anticipates that they will maintain and clean up the property.

MEMORANDUM

TO: TOWN BOARD
FROM: MIKE JOHNSON
DATE: MAY 21, 2018

SUBJECT: 1508 HAMMOND ROAD

A Sheriff's sale on May 15, 2018, transferred the property to Fanny Mae. The foreclosure process requires the purchaser to allow for a six-month redemption period. Following the redemption period, a personal property eviction procedure must take place, before the property can be listed for sale. The property is expected be listed for sale in the spring of 2019.

Fanny Mae has assigned a local realtor to be responsible for the monitoring of the property. Recently, the properties yard has been mowed and the abandoned refrigerator has been removed complying with the Township's May 10, 2018 Abatement Order.



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

ABATEMENT ORDER

May 10, 2018

Bank of America
16001 N Dallas Pkwy
Addison, TX 75001

**RE: 1508 Hammond Road
White Bear Township, MN 55110
Pin No. 15.30.22.21.0004**

To Whom It May Concern:

As the registered property representative for the property located at 1508 Hammond Road, White Bear Township, MN, you are hereby notified that a duly appointed officer of White Bear Township has performed an inspection of your property. The officer has documented a violation of Township Ordinance No. 16, Section 4-4.27, and "*NUISANCES AFFECTING PUBLIC PEACE AND SAFETY*"

After reasonable inspection, the officer has determined that the unsecured refrigerator along with additional appliances create a hazard to the health, safety or welfare of the public. These appliances must be abated no later than 7 days from the date of this letter.

The property owner or responsible party may appeal the abatement order by requesting a hearing before the Legislative Hearing Officer. This request shall be submitted to the Town Clerk in writing and prior to the abatement deadline or seven calendar days after the date of the abatement order, whichever comes first.

Failure to abate the nuisance or submittal of a written request for public hearing shall cause the Township to exercise its right to abate said nuisance and recover such abatement costs plus an additional 25% of such costs. These costs shall be assessed as a special assessment against the property.

Respectfully,

Mike Johnson
Building Official/Code Enforcement Officer

Cc: Site Posting
Safeguard Properties – codecompliance@safeguardproperties.com



recycled paper



**Town Board Executive Meeting
May 30, 2018**

Agenda Number: 14.b.

Subject: Code Enforcement Officer Report/Building Inspector Items.

b. 2105 Stillwater Street – Vacant Building

Documentation: Code Enforcement Officer Correspondence

Action / Motion for Consideration:

Receive Information / Discussion

**Minutes
Executive Meeting
April 27, 2018**

CODE ENFORCEMENT OFFICER / BUILDING INSPECTOR ITEMS: 3) 2105 STILLWATER STREET – VACANT BUILDING; **2105 Stillwater Street – Vacant Building:** On April 4, 2018 the Ramsey County Sheriff's Office and the White Bear Lake Fire Department responded to a complaint of an extremely strong natural gas odor on the exterior of the home. It was determined that the kitchen stove was leaking natural gas. The home's electrical and natural gas system have been disabled and locked. The Town's water supply is turned off at the street. During the incident Town Staff conducted an evaluation of the home. The dwelling is in very poor condition with all utilities inoperable. A strong odor of mold and mildew is present. The interior of the home is cluttered with personal property. The Building Official has determined the dwelling as unfit for human habitation and posted the property accordingly. It was noted that if necessary for public safety the Town can take the house down to abate the nuisance and assess the property. It was noted that the property owner be informed of where to go for help and how to apply for a grant. The Building Official talked with the property owner today and they are committed to cleaning up the property. It was noted that a rehabilitation plan could be to allow five months to do the necessary work. After five months, if the work is not done, the Town will have the house taken down.

MEMORANDUM

TO: TOWN BOARD
FROM: MIKE JOHNSON
DATE: MAY 22, 2018

SUBJECT: 2105 STILLWATER STREET

The property owner's son has taken responsibility for the cleanup and renovation of 2105 Stillwater Street. The intent is to renovate the property and restore occupancy of the dwelling.

Mr. Lopez has started to remove personal property from the dwelling and the property grounds. Approximately, four forty-yard dumpsters of personal property has been removed from the property so far. Improvements to the property is being done consistently and at a reasonable pace.



**Town Board Executive Meeting
May 30, 2018**

Agenda Number: 14.c.

Subject: Code Enforcement Officer Report/Building Inspector Items.

c. 5456 Township Drive - Update

Documentation: Code Enforcement Officer Correspondence

Action / Motion for Consideration:

Receive Information / Discussion

**Minutes
Executive Meeting
April 27, 2018**

CODE ENFORCEMENT OFFICER / BUILDING INSPECTOR ITEMS: 4) 5456 TOWNSHIP DRIVE – CONSIDER ENFORCEMENT ACTION 5456 Township Drive: A citation has been issued for housing code violations. In response to a question if the Town can evict tenants in rental property if the rental license is expired, the Town Attorney stated that the Town can post the property. The Code Enforcement Officer talked with the property owner today and the Ford van which has been unlicensed and inoperable has been removed. There was discussion regarding property owners who have a long history of violations and if an increased administrative fee can be charged for each day/week/month that the violation continues after being notified of violations. The Town Attorney stated that the Ordinance can be amended to change the fees for violations.

MEMORANDUM

TO: TOWN BOARD
FROM: MIKE JOHNSON
DATE: MAY 24, 2018

SUBJECT: 5456 TOWNSHIP DRIVE RENTAL LICENSE

The Town is currently prosecuting the property owner for housing maintenance code violations and having an unlicensed rental dwelling. The next court hearing is scheduled for Thursday, June 7, 2018.

The Township sent written notice to the property owner on February 27, 2018, informing the property owner of the Township's denial of the rental license application and a list of required repairs to be made to the property.

The items listed on the February 27, 2018, letter are still outstanding with the exception of the driveway. A new driveway surface was installed in the beginning of May.



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

James Wung and Antonia Kum
1981 Campbell Circle
White Bear Lake, MN 55110

RE: 5456 Township Drive Rental License

Dear Mr. Wung and Ms. Kum:

The Towns Code Enforcement Officer conducted a rental license inspection on Friday, January 19, 2018. The renewal request to obtain a rental license for 5456 Township Drive is denied, your rental license application and license fee is enclosed. The following deficiencies were documented during the inspection:

- Provide handrails at both exterior stairways accessing the dwelling.
- Provide a lockable door handle on the garage entry door.
- Provide documentation the dwellings forced air furnace system has been inspected and is in proper operating condition.
- Abandon basement bathroom and properly cap drain waste and vent piping.
- Install an appropriate driveway material such as rock, gravel, or Class 5 adjacent to the existing asphalt surface. — Completed 5-7-18 *WJ*
- Paint wood window trim, door trim and wood fascia as needed.

These deficiencies must be compliant, along with the resubmittal of the rental license application and fee, prior to the approval and issuance of a Township rental license.

Occupancy of the dwelling without the proper licensure is a violation of Township Ordinance No.47 Section 11. Failure to complete the required repairs by April 1, 2018, will result in the issuance of a citation requiring your appearance in a Ramsey County Court.

Respectfully,

Mike Johnson
Building Official/Code Enforcement

Cc: James Wung – 2736 Lyndale Ave S, Suite 204, Minneapolis, MN 55408
Enclosures



recycled paper

CITATION

State of Minnesota			
Citation #: 620000118745		Sequential Citations ___ of ___	
County Name: Ramsey			
Identification: <input type="checkbox"/> DL <input type="checkbox"/> DVS Web <input type="checkbox"/> Photo ID <input type="checkbox"/> FP <input checked="" type="checkbox"/> Other			
DL Number: _____		MN <input type="checkbox"/> CDL <input type="checkbox"/> State	
Name: First Middle Last Suffix James Kum Wung			
Address - Street, Apt # 1981 Campbell Circle			
City: White Bear Lake		State: MN Zip: 55110	
DOB (mm/dd/yyyy): 5-15-57	Height: _____	Weight: _____	Eyes: _____ Gender: M
<input type="checkbox"/> Juvenile Court Offense. Circle One: JTR, JPO, DEL	Parent or Guardian's Name: Address: _____		<input type="checkbox"/> Same address as Juvenile
Veh. Lic. No.:	Plate Year:	State:	Make: _____ Style: <input type="checkbox"/> 16+ pass. Color: _____
Date of Offense: 8-16-17		Time of Offense: 08:19	
<input type="checkbox"/> Unsafe conditions Weather: _____		<input type="checkbox"/> Endangering Life or Property *Court appearance required if checked	
		<input type="checkbox"/> Commercial Vehicle DOT#: _____ #Pounds overweight: _____ <input type="checkbox"/> Hazardous Materials (DOT)	
<input type="checkbox"/> Driver	<input type="checkbox"/> Owner	<input type="checkbox"/> Passenger	<input type="checkbox"/> Operate <input type="checkbox"/> Parked <input type="checkbox"/> Booked
Offense Location: 5456 Township Dr		Circle One: City/County/Township/Other Of: WBT	
Offense: Trash Debris	Charge Description: _____	Statute/Ordinance: 16.42.11	<input type="checkbox"/> 3rd violation PM, M, GM
Offense: Missing Maintenance	Charge Description: _____	Statute/Ordinance: 47.9-6	<input type="checkbox"/> 3rd violation PM, M, GM
Offense: Tall grass/weeds	Charge Description: _____	Statute/Ordinance: 4-2.10	<input type="checkbox"/> 3rd violation PM, M, GM
Offense: unlicensed cars	Charge Description: _____	Statute/Ordinance: 35.76.2	<input type="checkbox"/> 3rd violation PM, M, GM
<input type="checkbox"/> Speed Minn. Stat. § 169.14, subd. _____ mph Limit		PM, M <input type="checkbox"/> 3rd in 12 months	
<input type="checkbox"/> No proof of Insurance Minn. Stat. § 169.791, subd _____		M, GM	
<input type="checkbox"/> No Seat Belt Use Minn. Stat. § 169.686.1(a)		PM	
<input type="checkbox"/> AC Taken - AC: _____ Test type: <input type="checkbox"/> Breath <input type="checkbox"/> Blood <input type="checkbox"/> Urine <input type="checkbox"/> Other Substance <input type="checkbox"/> Refused			
Observed Race/Ethnicity: _____			
If this is a payable citation, you must pay the amount owed or schedule an appearance within 30 days from the date the citation was issued. See the back of this citation for more information.			
Officer(s) Name(s): Pat Johnson		Officer No(s): _____	Prosecutor: _____
Controlling Agency (CAG): MN0620000	How Issued: <input type="checkbox"/> In Person <input checked="" type="checkbox"/> Mailed <input type="checkbox"/> Left at the Scene		Date Issued: 8-16-17
Agency Name: WBT		CN/ICR: _____	

620000118745

CITATION

State of Minnesota		 620000121077	
Citation #: 620000121077		Sequential Citations ___ of ___	
County Name: Ransay			
Identification: <input type="checkbox"/> DL <input type="checkbox"/> DVS Web <input type="checkbox"/> Photo ID <input type="checkbox"/> FP <input type="checkbox"/> Other			
DL Number: _____ MN <input type="checkbox"/> CDL <input type="checkbox"/> State			
Name: First Middle Last Suffix James Kum Wung			
Address - Street, Apt # 1981 Campbell Circle			
City White Bear Lake		State MN	Zip 55110
DOB (mm/dd/yyyy) 05-15-57	Height	Weight	Eyes
<input type="checkbox"/> Juvenile Court Offense. Circle One: JTR, JPO, DEL		Parent or Guardian's Name: Address: <input type="checkbox"/> Same address as Juvenile	
Veh. Lic. No.	Plate Year	State	Make
			Style <input type="checkbox"/> 16+ pass. Color
Date of Offense 4-4-18		Time of Offense 08:00	
<input type="checkbox"/> Unsafe conditions Weather: _____		<input type="checkbox"/> Endangering Life or Property* *Court appearance required if checked	
		<input type="checkbox"/> Commercial Vehicle DOT# _____ #Pounds overweight: _____ <input type="checkbox"/> Hazardous Materials (DOT)	
<input type="checkbox"/> Driver	<input type="checkbox"/> Owner	<input type="checkbox"/> Passenger	<input type="checkbox"/> Operate
Offense Location 5456 TOWNSHIP		<input checked="" type="checkbox"/> Parked <input type="checkbox"/> Booked Circle One: City/County/Township/Other Of: WBT	
Offense	Charge Description	Statute/Ordinance	<input type="checkbox"/> 3rd violation PM, M, GM
	Rental Dwelling Licensing 47-11	Ordinance	
Offense	Charge Description	Statute/Ordinance	<input type="checkbox"/> 3rd violation PM, M, GM
Offense	Charge Description	Statute/Ordinance	<input type="checkbox"/> 3rd violation PM, M, GM
Offense	Charge Description	Statute/Ordinance	<input type="checkbox"/> 3rd violation PM, M, GM
<input type="checkbox"/> Speed Minn. Stat. § 169.14, subd. _____ mph _____ Limit			<input type="checkbox"/> 3rd in 12 months PM, M
<input type="checkbox"/> No proof of Insurance Minn. Stat. § 169.791, subd			M, GM
<input type="checkbox"/> No Seat Belt Use Minn. Stat. § 169.686.1(a)			PM
<input type="checkbox"/> AC Taken - AC: _____ Test type: <input type="checkbox"/> Breath <input type="checkbox"/> Blood <input type="checkbox"/> Urine <input type="checkbox"/> Other Substance <input type="checkbox"/> Refused			
Observed Race/Ethnicity _____			
If this is a payable citation, you must pay the amount owed or schedule an appearance within 30 days from the date the citation was issued. See the back of this citation for more information.			
Officer(s) Name(s) [Signature]		Officer No(s)	Prosecutor
Controlling Agency (CAG) MN0620000	How Issued <input type="checkbox"/> In Person <input checked="" type="checkbox"/> Mailed <input type="checkbox"/> Left at the Scene		Date Issued 4-4-18
Agency Name: WBT		CN/ICR	

620000121077



**Town Board Executive Meeting
May 30, 2018**

Agenda Number: 15

Subject: Clerk-Treasurer Report

Documentation: None

Action / Motion for Consideration:

Town Clerk Report at Meeting / Discuss



**Town Board Executive Meeting
May 30, 2018**

Agenda Number: 16 - 17

Subject: Open Time
Added Agenda Items

Action / Motion for Consideration:



**Town Board Executive Meeting
May 30, 2018**

Agenda Number: 18 – 19

Subject: Receipt of Agenda Materials / Supplements
Adjournment

Action / Motion for Consideration:

Receive All Agenda Materials & Supplements for Today's Meeting

Adjourn Meeting