



## WHITE BEAR TOWNSHIP

1858  
RAMSEY COUNTY  
MINNESOTA

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

1281 HAMMOND ROAD  
WHITE BEAR TOWNSHIP, MN 55110

651-747-2750  
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### AGENDA EXECUTIVE MEETING SEPTEMBER 28, 2018

1. **10:45 a.m.** - Call Succession Planning Session to Order at Administrative Office Conference Room.
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 August 24, 2018 Minutes (Additions/Deletions).
5. DNR Groundwater Management – Update.
6. Water Meters – Update.
7. I & I – Update.
8. Employee Appreciation – Select Date.
9. Tablets for Town Board Members.
10. Centerville Road Improvements:
  - a. Assessment Amount.
  - b. Assessment Length.
11. **1:00 p.m.** **Dan Nesler**, TKDA Centerville Road Sanitary Sewer Capacity – Draft Report.
12. White Bear Township Payment Management Program:
  - a. Franchise Fees.
13. Trails – Lake Links.
14. 5685 Portland Avenue – Receive EDAB Recommendation.
15. Public Works Report.
16. Code Enforcement Officer / Building Inspector Items:
  - a. 2105 Stillwater Street
  - b. 5456 Township Drive

#### 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**  
**September 28, 2018**

17. Clerk-Treasurer Report:
  - a. Arbor/Hillaire Sign Request.
18. Open Time.
19. Added Agenda Items.
20. Receipt of Agenda Materials/Supplements.
21. 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.



**Town Board Executive Meeting  
September 28, 2018**

**Agenda Number:** 1

**Subject:** Succession Planning Session

**Documentation:** None

**Action / Motion for Consideration:**



**Town Board Executive Meeting  
September 28, 2018**

**Agenda Number:** 2 – 3 - 4

**Subject:** Approval of September 28, 2018 Agenda  
Approval of August 24, 2018 Minutes

**Documentation:** September 28, 2018 Agenda  
August 24, 2018 Minutes

**Action / Motion for Consideration:**

Call meeting to order:	
Approval of Agenda:	September 28, 2018 (additions/deletions)
Approval of Minutes:	August 24, 2018 (additions/deletions)

**MINUTES  
EXECUTIVE MEETING  
AUGUST 24, 2018**

The meeting was called to order at 11:02 a.m.

Present: Supervisors: Kermes, Prudhon, Ruzek; Clerk: Short; Attorney: Lemmons; Public Works Director: Reed; Building Official; Johnson; Planner: Riedesel; Engineers: Studenski and Poppler.

**APPROVAL OF AGENDA (Additions/Deletions):** Ruzek moved approval of the agenda with the following amendment: Add: 1:00 p.m. – Fred Zappa, 5966 Highway 61 (formerly Zappa's Sporting Goods) – Vacant Property Registration; 15C) 2363 Taylor Avenue – Additional Driveway Request; 18A) 5685 Portland Avenue - Special Attorney Client Closed Meeting. Prudhon seconded. Ayes all.

**APPROVAL OF JULY 27, 2018 MINUTES (Additions/Deletions):** Ruzek moved approval of the July 27, 2018 Minutes with the following amendment: Meeting Date Change: November Executive Meeting date changed to Friday, November 16, 2018, due to conflict with Thanksgiving Holiday. Prudhon seconded. Ayes all.

**DNR GROUNDWATER MANAGEMENT – UPDATE:** There is a hearing on Monday, August 27, 2018 between the plaintiffs and the DNR relative to a motion to the trial court to stay the judge's order. If granted, the stay would remain in place until the appellate court makes a decision. The Court of Appeals will schedule a hearing. They will have 90 days following the hearing to provide a decision. During that time the stay would remain in place. The municipalities involved will discuss the matter.

**WATER METERS: 1) WARRANTIES; 2) METER TESTING RESULTS:** The Engineer reviewed the specs in the warranty. The Clerk stated that the new meter standards were applied to one year but the Township bought an extended warranty for another three years. The manufacturer and vendor are challenging the meter testing but not the test results. They feel the testing was done outside the criteria. The Attorney stated that the Township has met the testing requirements. It was noted that the second testing results will be available August 30<sup>th</sup>. It was the consensus that the Town needs to be prepared to proceed with the legal route. The offer to share the replacement cost (materials and labor) still stands.

**I & I – UPDATE:** The Town Board has awarded the contract for rehabilitation of Lift Station #10. The work is expected to be completed by mid-December.

**TABLET PRICING FOR TOWN BOARD MEMBERS:** The Town Board started the process of looking into the possibility of providing computers so that the Town Board could receive their agenda packets electronically and make notes on them prior to the meeting and at the meeting. The price of iPad with the features desired would cost \$1,217.00 each. The Dell tablet cost about \$1,300.00. The Town's capital improvement plan includes \$18,750.00 for computers in 2018. Roseville IT does not support the iPads but would support the Dell tablet, but they still recommend the iPad. Roseville IT recommends the Apple 12.9 inch iPad Pro with Wi-Fi and 256 GB of memory. For writing notes, the Town would also need to purchase the Apple Pencil and a keyboard. The vendors and costs for iPad, Apple Pen, Keyboard and case were reviewed. It was the consensus to provide the SHI iPad at a cost of \$949 for the iPad as well

**MINUTES  
EXECUTIVE MEETING  
AUGUST 24, 2018**

as an Apple Pencil for \$99.00 and keyboard and case for \$169.00 for a total of \$1,217.00. Of the three vendors reviewed SHI was the least expensive. It was the consensus that training be provided to the Town Board. The Clerk will inform the Finance Officer to process the purchase of iPads, Apple Pencil, and keyboard and case with the recommendation to have training provided for the skills needed. The matter will be on the agenda for the September Executive Meeting.

**PRELIMINARY TAX LEVY:** The Clerk noted that the Township is required to certify its 2019 preliminary property tax levy to the County no later than September 28, 2018. This is the tax levy that the County will use on the Truth-in-Taxation notices mailed out in mid-November. Once the preliminary levy is certified to the County the Town can lower the levy prior to final levy certification in December but the final levy cannot exceed the certified preliminary levy. A preliminary levy of \$3,868,742 was approved at the Annual Town Meeting in March. As staff has received budget information from other agencies and adjusted other line item budgets, the proposed preliminary levy has been lowered to \$3,789,888. Changes made since the March Annual Meeting were reviewed. Changes in expenditures included:

- Lowered PERA contributions from 8% to 7.5%.
- Wage increase decreased from 3% to 2% January 1<sup>st</sup> and 1.5% July 1<sup>st</sup>.
- Lowered some consulting fees \$17,225 in the General Government Activity based on past and current expenditures.
  - Reduced election contract with Ramsey County \$5,000 to \$25,000 based on budget provided by Ramsey County.
  - Police budget decreased \$13,108 based on preliminary budget numbers provided by the Sheriff's Department.
  - Fire budget increased \$14,000 based on budget numbers provided by the City of White Bear Lake.
  - Sign line item increased \$86,500 to \$90,500 to begin replacing street signs to meet reflectivity standards. (The Public Works Director stated that the item could be put off for now. It will have to be done in another five years.)
  - Contracted services in road and bridge activity increased \$55,000 for EAB. (This activity could be withdrawn from this budget. The Park Board is working on the EAB matter.)
  - The transfer for the Town's annual seal coat project increased \$21,000 to \$100,000 which is 67% of projected project cost.
  - Equipment rental fee in both the road and bridge and public works activities are increased to 75% of asset depreciation.
  - Town building activity personnel expenditures increased based on increased time spent on building maintenance as reflected in public work time sheets.
  - Township Day expenditures increased \$13,000 based on 2017 actual and 2018 projected expenditures.

Revenue changes include:

- Building permits and plan check fees increased \$5,000 and \$3,000 respectively for new construction in Three Oaks development.

**MINUTES  
EXECUTIVE MEETING  
AUGUST 24, 2018**

- Facility rentals increased \$6,406 based on antenna leases.
- Transfer from EDA Fund to the General Fund for Township Day decreased from \$15,000 to \$7,500.
- Fiscal Disparities decreased \$2,542 based on numbers provided by Ramsey County.
- Property Taxes increased 19.21% to \$3,510,594.

Based on these changes staff recommends that the 2019 preliminary levy be certified at \$3,789,888. This levy when applied against the Town's tax capacity would give the Town tax rate of 24.617% which is lower than the final 2013 rate of 25.246%, However it is higher than the final 2018 rate of 21.568% but lower than the preliminary rate of 26.648%. The median value home in the Town increased 4.1% from \$255,400 to \$265,900. With this tax levy and tax rate if every residential property increased in value 4.1% the tax increase would be between \$60 and \$150.00. The Town must certify to Ramsey County its preliminary levy no later than October 1<sup>st</sup>. If further discussion is needed a special Town Board meeting could be called. It was the consensus that the preliminary statement is acceptable and that no special meeting is needed.

**FRANCHISE FEES – ATTORNEY UPDATE:** At the July Executive Meeting there was discussion regarding negotiating a franchise agreement with utility companies and dedicate this revenue source for street improvement. The Town Attorney researched franchise fees. He reported that the Town does have the power to negotiate franchise fees. To initiate this process the Town would have to adopt an Ordinance creating franchise fees. The fee can be imposed on all utility customers and put in a special fund for street improvement. A direct benefit for the fees charged must be shown. The Town Attorney will draft a memo outlining what the Town can do.

**SPEED BOARDS – RESIDENT REACTIONS:** There are four speed boards in place on West Bald Eagle Boulevard. Feedback from the signs have been both positive and negative. Connie Buskirk, 5215 West Bald Eagle Avenue. She feels that the signs are an eyesore. She does not feel that excessive speed is the problem. Connie Buskirk's questions were addressed with her. Judy Brewer, 5281 West Bald Eagle Boulevard called and thanked the Town Board for putting up the speed boards. Susanne Mottl, 5353 West Bald Eagle Boulevard came into the office and said that she is pleased with the speed boards, with the exception with the one located to the north. She stated that there is a tree there that interferes with seeing the sign. She was advised that the tree would be trimmed around October because of the Oak wilt trimming policy. She feels that the speed boards have helped slow down traffic. She thinks that they will really help with accidents. Prudhon moved to continue the speed boards. Ruzek seconded. Ayes all.

**WHITE BEAR TOWNSHIP PAVEMENT MANAGEMENT PLAN:** Larry Poppler, TKDA provided a slide presentation on Township streets. He reviewed the reasons a street deteriorates: 1) drainage; soil conditions beneath the street; original street section; traffic volumes and loading; time; weather – freeze/thaw; utility impacts / patches. He reviewed the parameters for pavement conditions based on pavement age. He noted that reasons for performing pavement management are as follows: 1) it is the best value to taxpayers over the long run; 2) it balances expenditures; 3) it preserves property values; 4) and it does not push

MINUTES  
EXECUTIVE MEETING  
AUGUST 24, 2018

obligations to future generations. A cost comparison was reviewed over 60 years for traditional life-cycle which is reconstruction as opposed to optimal life-cycle which includes 2 seal coats and an overlay followed by 2 more seal coats and overlay and finally a reconstruct. The difference between the traditional life-cycle and the optimal life-cycle results in a difference of \$660,633.6 which is a 32% difference in cost using the optimal life-cycle maintenance activity. The reason for concrete curb and gutter is because it: 1) assists in drainage and water quality; 2) reduces edge failure; 3) is a safety benefit because it defines the street; 4) reduces plow damage to yards or pavement edge; 5) street sweeping edge; mowing edge advantage; concrete is rigid, bituminous is flexible during summer temperatures; and 8) because of aesthetics and improves property values. **Street Inspection and Ratings:** Township staff has rated streets on a 0-5 scale. Average street rating should be 3.5 or higher. Streets below 2.2 rating should be considered for reconstruction. The Township has approximately 36 miles of streets. The 2011 reconstruction project completed 4.25 miles. There are approximately 40% of street which have curb and gutter. There are approximately 5.7 miles of street below 2.2 rating.

Funding options for street improvements are provided by assessments, tax levy (improvement levy), stormwater funding (storm sewer and curb), street improvement districts, franchise fees, local road improvement program (local roads of regional significance). For reconstruction the Township assesses 100%; State Statutes (429) requires that the assessment project cover at least 20% of the costs. Assessment amount for the 2011 White Bear Township road project was \$4,358 per unit; Prior Lake experience had \$8,000- \$10,000.

To prepare citizens a Public Communication Plan is advised to provide general information; mapping of future reconstruction area; brochure to property owners on upcoming projects; website updates; and neighborhood meetings ahead of any project. A summary for road improvement is to have the right improvement at the right time; priority 1 should be perform crack sealing, seal coating, and mill and overlay; priority 2 is to develop a program for average of 0.7 miles of reconstruction per year (36 miles / 50 years).

The recommended next steps is for a street network research on White Bear Township streets; verify costs for future improvements; project grouping recommendations; prepare funding plan for future; reconstruction based on grouping; prepare communication plan and an optional step to re-rate streets.

Larry Poppler reviewed the plan that he worked with in the City of Prior Lake which he felt is a good guide for road improvements. He stated that this type of plan could be produced for the Township.

**TRAILS: 1) LAKE LINKS; 2) BALD EAGLE BOULEVARD:** Ramsey County is surveying the road to define the right-of-way on South Shore Boulevard. The Lake Links committee has met with property owners regarding accommodating a trail on the North Shore area. There are ten properties in the Township segment of the trail in that location.

**FRED ZAPPA, 5966 HIGHWAY 61 (FORMERLY ZAPPA'S SPORTING GOODS) – VACANT PROPERTY REGISTRATION – 1:00 P.M.:** Fred Zappa attended the meeting to discuss the

MINUTES  
EXECUTIVE MEETING  
AUGUST 24, 2018

vacant property registration which he was informed is needed for his building. He is requesting that the fee be waived since he has been utilizing the building for personal storage purposes and has not been vacant. He stated that the property has been maintained inside and out. He stated that the building has been for rent since January 2016. He stated that he has let the grass go but that he will take care of it. Some of the shrubs have died and he will replace them. Fred Zappa was informed that before the building is sold the proposed use will require an ordinance amendment and a conditional use permit. The current property violations will have to be mitigated prior to future building occupancy. Fred Zappa stated that he disagrees that a few of the things are not up to code for the certificate of occupancy. The Building Official stated that based on discussion and inspection there are multiple building and housing code violations and there has been no response from the property owner. For the past ten years the property has been in violation of ADA requirements due to no access from the parking to the building. All notices were ignored by the property owner. The Township has spent a lot of time to get the property into compliance. Fred Zappa stated that he will take care of the parking lot; plant trees; and replace the shrubs that have died. The Building Official stated that there was a plan approved by the Town for development of the property and that plan should be followed. It was the consensus of the Town Board to not waive the fee as it is an appropriate application of the fee and Town staff has spent a considerable amount of time dealing with the problems on this vacant property.

**PUBLIC WORKS DIRECTOR REPORT:** The Public Works Director provided the Public Works Department Activity report for the month of August 2018. The highlights of the report were discussed in agenda items previously discussed at today's meeting.

**CODE ENFORCEMENT OFFICER / BUILDING INSPECTOR ITEMS: 1) 5456 TOWNSHIP DRIVE – NUISANCE CAR; 2) 4151 HILLAIRE; 3) 2363 TAYLOR AVENUE – ADDITIONAL DRIVEWAY REQUEST:** **5456 Township Drive:** This property has had currently unlicensed and inoperable vehicles on the property for some time. The tabs on one vehicle expired in July. The property owner pled guilty and was placed on probation. **4151 Hillaire:** There have not been any complaints received until recently from the next door neighbor regarding continuous rooster crowing. A letter has been sent to the property owner regarding several complaints and the rooster has been removed. **2363 Taylor Avenue:** A request was received for an additional driveway at this address. The only access to the property is from an alleyway. The property owner is requesting access from Taylor Avenue. The request is in compliance. No variance is necessary and the driveway access has been approved by Ramsey County. Approval of the request for additional driveway will be placed on the agenda for the September 5, 2018 Town Board agenda.

**CLERK-TREASURER REPORT: 1) ARBOR/HILLAIRE SIGN REQUEST:** Aaron Gertz sent an email stating that vehicles traveling eastbound on Arbor Drive are traveling too fast to avoid hitting children playing in the street, and he would like to pursue having a stop sign. The concern is not about speed but about the inability to stop in time once a child is noticed. He stated that he would pay for the stop sign out of pocket because he believes that it is really needed. Deputy Mike Servatka, RCSO stopped and talked with the kids and parents at 2667 and 2662 Arbor regarding playing in the street. Kids and parents were receptive to the warning about playing in the street. Traffic tubes were placed on that section of Arbor to measure the volume and speeds of traffic. 85% was 25 mph and very low volume. **Cub Foods:** The assessment for

MINUTES  
EXECUTIVE MEETING  
AUGUST 24, 2018

Cub Foods for the road improvements is recommended to be \$75,000. The appraiser hired by the Town to determine benefit to Township properties related to the Centerville Road project concluded that Cub Foods receives a benefit of 5% or \$165,500 and that the other properties on Meadowlands Drive receive no measurable benefit.

**OPEN TIME:** There will be an open house at the Whitaker Pond project at Columbia Park at 6:30 p.m. Ruzek moved to call a Special Town Board Meeting for the White Bear Ponds Open House at 6:30 p.m. on August 30, 2018. Prudhon seconded. Ayes all.

The meeting recessed at 3:00 p.m.

**ATTORNEY CLIENT CLOSED SESSION:** Ruzek moved to go into Closed Session at 3:00 p.m. Prudhon seconded. Ayes all. Ruzek moved to close the Closed Session at 3:03 p.m. Prudhon seconded. Ayes all. The Executive Meeting re-convened.

The Town Attorney reported that the purpose of the meeting was for the Town Board to address offer of settlement regarding legal fees.

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

Prudhon moved to adjourn the meeting at 3:03 p.m. Ruzek seconded. Ayes all.

Respectfully Submitted,

William F. Short  
Clerk-Treasurer



**Town Board Executive Meeting  
September 28, 2018**

**Agenda Number:** 5

**Subject:** DNR Groundwater Management - Update

**Documentation:** None

**Action / Motion for Consideration:**

Town Clerk Report at Meeting / Discuss

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Minutes  
Executive Meeting  
August 24, 2018

**DNR GROUNDWATER MANAGEMENT – UPDATE:** There is a hearing on Monday, August 27, 2018 between the plaintiffs and the DNR relative to a motion to the trial court to stay the judge's order. If granted, the stay would remain in place until the appellate court makes a decision. The Court of Appeals will schedule a hearing. They will have 90 days following the hearing to provide a decision. During that time the stay would remain in place. The municipalities involved will discuss the matter.



## Town Board Executive Meeting September 28, 2018

**Agenda Number:** 6

**Subject:** Water Meters - Update

**Documentation:** None

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

Town Engineer Report at Meeting / Discuss

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Minutes  
Executive Meeting  
August 24, 2018

**WATER METERS: 1) WARRANTIES; 2) METER TESTING RESULTS:** The Engineer reviewed the specs in the warranty. The Clerk stated that the new meter standards were applied to one year but the Township bought an extended warranty for another three years. The manufacturer and vendor are challenging the meter testing but not the test results. They feel the testing was done outside the criteria. The Attorney stated that the Township has met the testing requirements. It was noted that the second testing results will be available August 30<sup>th</sup>. It was the consensus that the Town needs to be prepared to proceed with the legal route. The offer to share the replacement cost (materials and labor) still stands.



## Town Board Executive Meeting September 28, 2018

**Agenda Number:** 7

**Subject:** I & I - Update

**Documentation:** None

### Action / Motion for Consideration:

Report at Meeting/ Discuss

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Minutes  
Executive Meeting  
August 24, 2018

**I & I – UPDATE:** The Town Board has awarded the contract for rehabilitation of Lift Station #10. The work is expected to be completed by mid-December.



## Town Board Executive Meeting September 28, 2018

**Agenda Number:** 8

**Subject:** Employee Appreciation – Select Date

**Documentation:** None

### Action / Motion for Consideration:

Report at Meeting/ Discuss

### OCTOBER

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1 TB Mtg 2. Approve Twp Day Donations	2	3	4 Public Safety Comm Mtg	5	6
7	8 Columbus Day	9 EDAB Mtg	10	11 Utility Comm Mtg	12	13
14	15 EDA/TB Mtg 1)3rd Qtr Fin Rpt 2)3rd Qtr Con Rpt 3) SWIPP Hrg-? 4)Comm Recomm 5) 5288 Lakeview	16 TB Cont'd 3 dog review 6) Assmt Hrg- 7) 5329 WBE Excess Vacation Hrg	17	18 Park Bd Mtg	19	20
21	22	23	24	25 Planning Comm Mtg 1) Reschedule Nov Mtg	26 Exec Mtg 1)DNR	27



## Town Board Executive Meeting September 28, 2018

**Agenda Number:** 9

**Subject:** Tablets for Town Board Members

**Documentation:** None

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

Report at Meeting/ Discuss

\*\* Finance Officer is working with Roseville on Obtaining the Tablets & Related Accessories

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**Minutes**  
**Executive Meeting**  
**August 24, 2018**

**TABLET PRICING FOR TOWN BOARD MEMBERS:** The Town Board started the process of looking into the possibility of providing computers so that the Town Board could receive their agenda packets electronically and make notes on them prior to the meeting and at the meeting. The price of iPad with the features desired would cost \$1,217.00 each. The Dell tablet cost about \$1,300.00. The Town's capital improvement plan includes \$18,750.00 for computers in 2018. Roseville IT does not support the iPads but would support the Dell tablet, but they still recommend the iPad. Roseville IT recommends the Apple 12.9 inch iPad Pro with Wi-Fi and 256 GB of memory. For writing notes, the Town would also need to purchase the Apple Pencil and a keyboard. The vendors and costs for iPad, Apple Pen, Keyboard and case were reviewed. It was the consensus to provide the SHI iPad at a cost of \$949 for the iPad as well as an Apple Pencil for \$99.00 and keyboard and case for \$169.00 for a total of \$1,217.00. Of the three vendors reviewed SHI was the least expensive. It was the consensus that training be provided to the Town Board. The Clerk will inform the Finance Officer to process the purchase of iPads, Apple Pencil, and keyboard and case with the recommendation to have training provided for the skills needed. The matter will be on the agenda for the September Executive Meeting.



**Town Board Executive Meeting  
September 28, 2018**

**Agenda Number:** 10

**Subject:** Centerville Road Improvements:

- a. Assessment Amount
- b. Assessment Length

**Documentation:** Draft Assessment Notice

\*\* See Packet Bound Separately

**Action / Motion for Consideration:**

Report at Meeting/ Discuss

**Please Note:** The Assessment Notice must be mailed out on Monday to Allow for Two Weeks Mailed Notice.

## ASSESSMENT NOTICE INFORMATION

**Public Hearing:**

7:00 p.m. on Monday, October 15, 2018, at Heritage Hall, 4200 Otter Lake Road, White Bear Township, Minnesota.

The Town Board will meet to consider adopting the proposed assessments.

**Property I.D. Number:**

16.30.22.34.0031

**Owner Name/Address:**

JMK Partnership  
1646 Diffley Road  
Eagan, Minnesota 55122

**Improvement Project:**

IMPROVEMENT 2018-3 – CENTERVILLE  
ROAD IMPROVEMENTS

**Assessment Amount:**

\$ \_\_\_\_\_

**Interest Rate:**

3.8%

**Term:**

\_\_\_\_\_ Years

**PAYMENT INFORMATION:**

**First Year:** You may, at any time prior to certification of the assessment to the County Auditor, pay the entire assessment on such property with interest accrued to the date of payment, to the Town. **No interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment, such date being on or before November 15, 2018.**

**Partial Payment:** Pursuant to Ordinance No. 51, the owner of any lot, piece or parcel of land assessed hereby may make a partial prepayment in the amount of at least One Thousand Dollars (\$1,000.00) to the Town Clerk-Treasurer, no less than five (5) days prior to the date the Resolution Adopting and confirming the Assessment for the Local Improvement directs the Clerk to transmit a certified copy of the assessment roll to the County Auditor.

**Subsequent Years:** You may at any time thereafter, pay to Ramsey County, the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15<sup>th</sup> or interest will be charged through December 31 of the succeeding year.

**Appeal of Assessment:** An owner may appeal an assessment to the District Court pursuant to Section 429.081 of Minnesota Statutes, by serving a Notice of the Appeal upon the Chair of the Town Board or the Clerk of the Town within thirty (30) days after the adoption of the assessment and filing such Notice with the Clerk of the District Court within ten (10) days after service upon the Town Board Chair or Town Clerk, providing a written objection signed by the affected property owner is filed with the municipal Clerk prior to the assessment hearing or presented to the presiding officer at the hearing.

**Deferred Payments:** Sections 435.193 to 425.195 provides that Town making a special assessment may, at its discretion, defer the payment of that special assessment for any homestead property owned by a person 65 years of age or older from whom it would be a hardship to make the payments. The Town of White Bear has elected to defer some special assessments and has adopted Ordinance No. 53 establishing the standards and guidelines. Any assessed property owner meeting the requirements for deferment may, within 30 days of the confirmation of the assessment, apply to the Town Clerk for the prescribed form for such deferral of payment of this special assessment on his/her property.

**This is the only notice you will receive,  
if you wish to pay, please pay from the attached  
Notice by NOVEMBER 15, 2018.**



## Payment Form

Name / Address:

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Parcel I.D. #:

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Amount Paid:

\$ 

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(Make checks payable to "White Bear Township"

Credit Card & Debit Card Payments Will Not be Accepted.)

DRAFT

**Payment Must Be Received No Later than  
November 15, 2018, to be Paid Without Interest**



## Town Board Executive Meeting September 28, 2018

**Agenda Number:** 11

**Subject:** 1:00 – Dan Nesler, TKDA Centerville Road Sanitary Sewer Capacity – Draft Report

**Documentation:** Report

### Action / Motion for Consideration:

Report at Meeting/ Discuss

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Minutes  
Town Board Meeting  
August 6, 2018

**CENTERVILLE ROAD SANITARY SEWER CAPACITY ANALYSIS – AUTHORIZE:** The Town Engineer reported that the Township has been approached by both Lino Lakes and North Oaks with requests for discharging sanitary sewer flow into the Township's Centerville Road Sewer. Township Staff has requested that TKDA complete an analysis of the existing and future capacity of the Centerville Road Sanitary Sewer, so that it can respond appropriately to Lino Lakes and North Oaks. TKDA proposes to complete a study to analyze the current and future capacity of the Centerville Road Sanitary Sewer. Work will include: 1) review of the design assumption used to construct the sewer; 2) estimation of the current and projected sanitary sewer flows from the Town and North Oaks; 3) review of the future (ultimate) flows that are planned to be received from the Town, North Oaks, and Lino Lakes; and 4) review of the existing agreements in place for receiving flow from North Oaks. These items will be summarized in a memo and presented at a Town Board Executive Meeting. The work is estimated to cost \$3,990 and will be completed and ready for acceptance for an October Town Board Meeting.

**Ruzek moved, based on Town Engineer review and recommendation to authorize TKDA to complete the Centerville Road Sanitary Sewer Capacity Analysis for an amount not to exceed \$3,990.00. Prudhon seconded. Ayes all.**



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

## Memorandum

To: Bill Short  
 Copies To: Dale Reed  
 \_\_\_\_\_  
 \_\_\_\_\_  
 From: Dan Nesler  
 Date: September 24, 2018

Reference: Centerville Road Sanitary Sewer  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Project No.: \_\_\_\_\_  
 Routing: \_\_\_\_\_

### Background and Purpose

An existing gravity sanitary sewer runs along Centerville Road, providing sewer service to both White Bear Township (Town) and the City of North Oaks (North Oaks). The sewer is owned by the Town, and runs from north to south along Centerville Road, starting at Ash Street on the northern border of the Town, and terminates at the MCES Forest Lake Interceptor. The existing sewer changes from 18-inches to 21-inches at Anderson Lane, as shown in Figure 1.

Recently, both the City of Lino Lakes (Lino Lakes) and North Oaks have requested of the Township what the current and future capacities are in the Centerville Road sanitary sewer. To accurately respond to their requests, the Township staff requested TKDA review the existing sewer and future flow projections for the Centerville Road sanitary sewer.

### Existing Agreements

When the Centerville Road sanitary sewer was being designed, consideration was given to providing sanitary sewer service to North Oaks and the Lino Lakes. The design flows calculated in 1990 are summarized in Table 1.

Table 1: 1990 Sanitary sewer flow projections

<b>North of Anderson Lane</b>		
<i>Municipality</i>	<i>Average Daily Flow (gpm)</i>	<i>Basis</i>
White Bear Township	201	Residential, Commercial, and General Business development
Lino Lakes	568	3,030 residences
North Oaks	94	500 Residences
<b>At Forest Lake Interceptor</b>		
<i>Municipality</i>	<i>Average Daily Flow (gpm)</i>	<i>Basis</i>
White Bear Township	296	Residential, Commercial, and General Business development
Lino Lakes	568	3,030 residences
North Oaks	114	500 Residences

On July 9<sup>th</sup>, 1990, the Township and North Oaks executed a Joint Powers Agreement to provide capacity for 120,000 gallons per day (83.3 gpm) in the Centerville Road sanitary sewer. On June 17<sup>th</sup>, 2002, the Township and North Oaks amended the existing Joint Powers Agreement such the Township agreed to provide an additional 55,406 gallons per day (38.5 gpm). This brought the total capacity in the Centerville Road sewer allocated for North Oaks to 176,406 gallons (122.5 gpm).

Currently there is no agreement in place between the Township and Lino Lakes for the Township to provide sanitary sewer capacity for Lino Lakes in the Centerville Road sewer.

**Projected Flows**

All three municipalities are currently updating and preparing their 2040 Comprehensive plans, including future sanitary sewer service needs. Based on review of the draft Lino Lakes 2040 Comprehensive Plan, the draft North Oaks 2040 Comprehensive Plan, and the draft White Bear Township Comprehensive Plan, the current ultimate sanitary sewer projections for the Centerville Road sanitary sewer were determined, and are summarized in Table 2.

Table 2: Ultimate sanitary sewer flow projections

<b>North of Anderson Lane</b>		
<i>Municipality</i>	<i>Average Daily Flow (gpm)</i>	<i>Basis</i>
White Bear Township	144	Draft 2040 Comprehensive plan, 274 gpd per residence, 1,000 gpd/ac Commercial and Industrial
Lino Lakes	354	Draft 2040 Comprehensive plan, Ultimate build out District 4
North Oaks	98	Draft 2040 Comprehensive plan, communications with North Oaks Company
<b>At Forest Lake Interceptor</b>		
<i>Municipality</i>	<i>Average Daily Flow (gpm)</i>	<i>Basis</i>
White Bear Township	349	Draft 2040 Comprehensive plan, 274 gpd per residence, 1,000 gpd/ac Commercial and Industrial
Lino Lakes	354	Draft 2040 Comprehensive plan, Ultimate build out District 4
North Oaks	130	Draft 2040 Comprehensive plan, communications with North Oaks Company

For planning purposes, the Centerville Road sewer is considered at capacity when it is 85% of full pipe design flow. This is done to allow capacity for rainfall and other unplanned flow events. A summary of the capacity of each segment of the Centerville Road sewer, the total ultimate flows, and the remaining capacity is shown in Table 3 and Figures 2.



Table 3: Summary of projected and available capacities

<i>Segment</i>	<i>85% Capacity of Sewer (gpm, average day)</i>	<i>Projected Flow (gpm, average day)</i>	<i>Remaining Capacity (gpm, average day)</i>
North of Anderson Lane	829	597	232
Forest Lake Interceptor	908	834	74

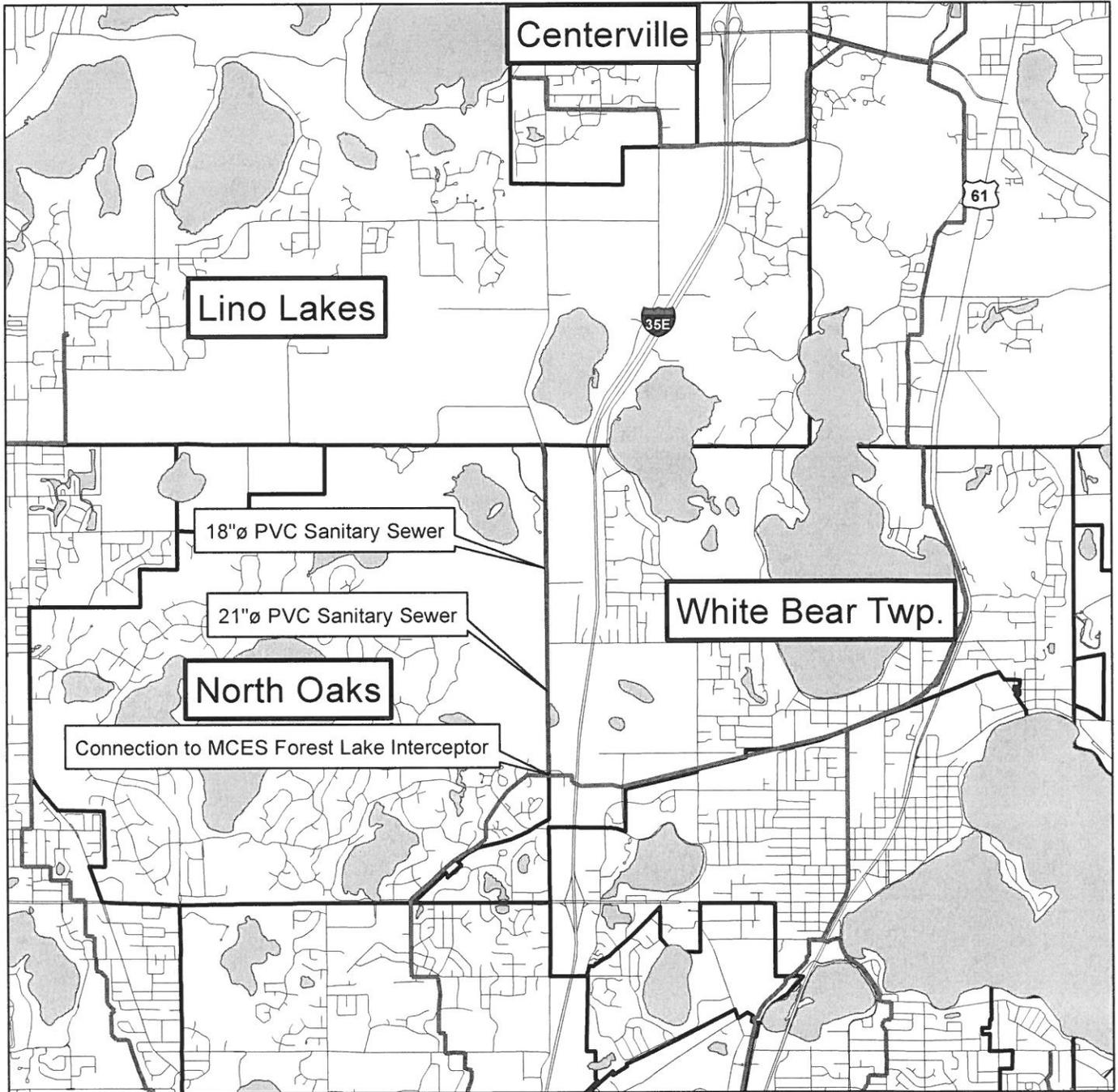
### Summary and Next Steps

Based on the current development plans and sanitary sewer flow projections, the Centerville Road sanitary sewer has capacity for the ultimate planned development. Next steps the Township should consider include:

1. Conduct temporary flow monitoring now and as development occurs along Centerville Road, to ensure the actual sanitary sewer flows are matching with the projected flows used in this analysis.
2. Amend the Joint Powers Agreement with North Oaks for the additional planned sanitary sewer flow.
3. Execute a Joint Powers Agreement with Lino Lakes for their planned sanitary sewer flow to the Centerville Road sewer.

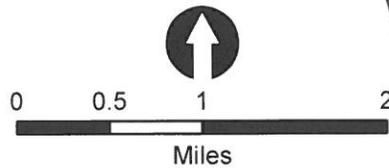


**Figure 1. Centerville Road Sanitary Sewer**



**Legend**

-  Centerville Road Sanitary Sewer
-  MCES Interceptors
-  City/Township Limits



**Limitation of Liability**  
 This document is not a legally recorded map or survey and is not intended to be used as one. This map is a compilation of records and information from various state, county, and township offices, and other sources.

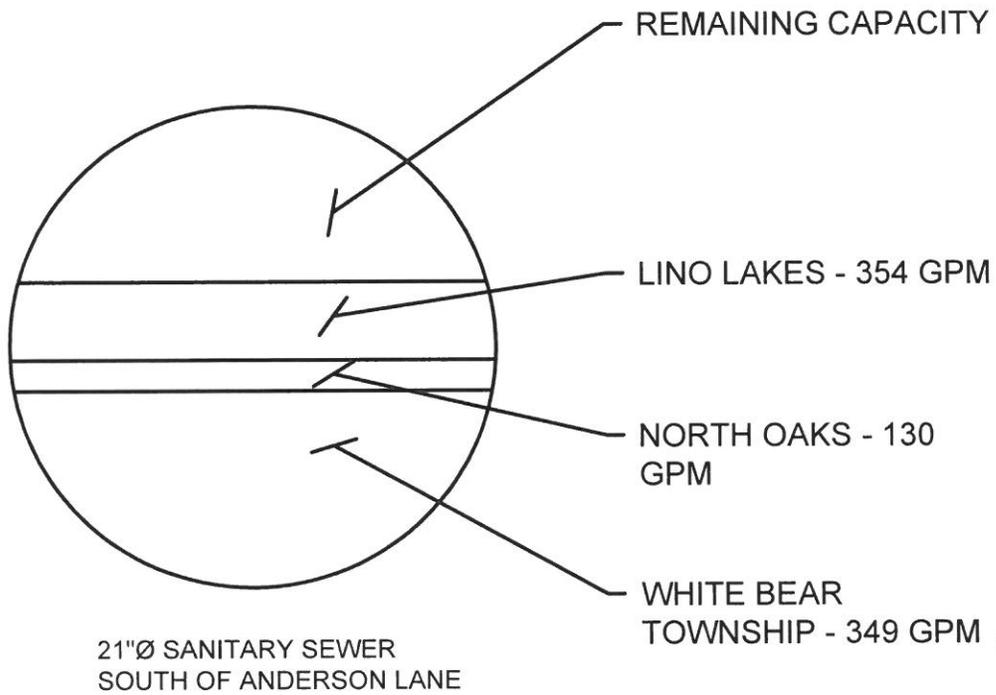
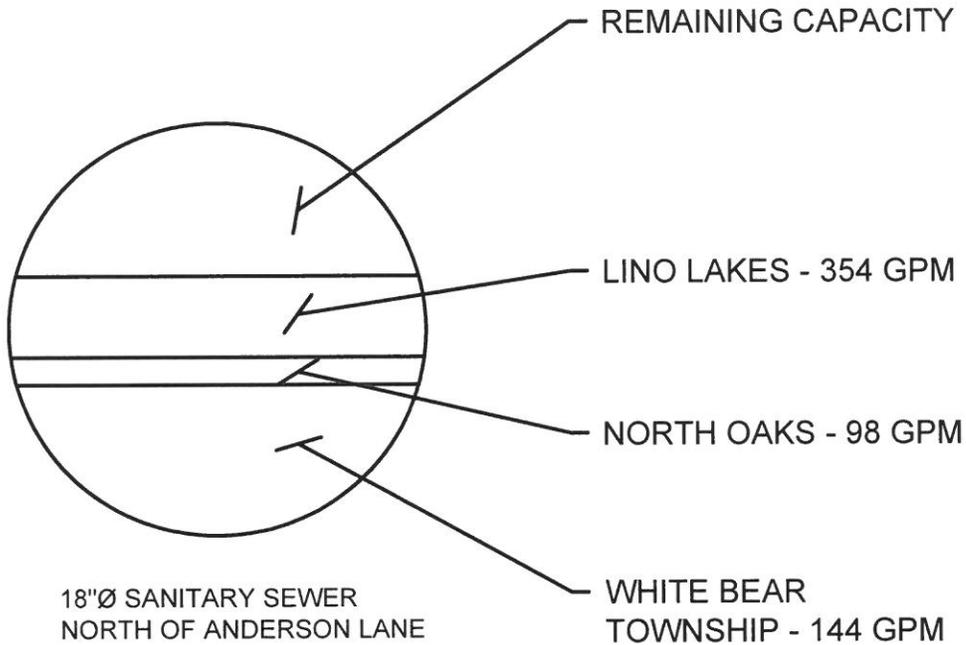
**DRAFT**

Source: Metropolitan Council



**Engineering  
Architecture  
Planning**  
 444 Cedar Street,  
 Suite 1500  
 Saint Paul, MN 55101  
 651.297.4400  
 tkda.com

Map date: September 2018



**DRAFT**

ALL FLOWS SHOWN ARE AVERAGE DAILY FLOWS.

PLOT DATE: Sep 24, 2016 - 11:02am  
FILE NAME: C:\Users\mestard\Desktop\wbt FIG.dwg

	444 Cedar Street, Suite 1500 Saint Paul, MN 55101 651.292.4400 tkda.com	PROPOSED ULTIMATE SEWER CAPACITY CENTERVILLE ROAD SANITARY SEWER		FIGURE 2



## Town Board Executive Meeting September 28, 2018

**Agenda Number:** 12

**Subject:** White Bear Township Pavement Management Program  
a. Franchise Fees

**Documentation:** None

### Action / Motion for Consideration:

Report at Meeting/ Discuss

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Minutes  
Executive meeting  
August 24, 2018

**WHITE BEAR TOWNSHIP PAVEMENT MANAGEMENT PLAN:** Larry Poppler, TKDA provided a slide presentation on Township streets. He reviewed the reasons a street deteriorates: 1) drainage; soil conditions beneath the street; original street section; traffic volumes and loading; time; weather – freeze/thaw; utility impacts / patches. He reviewed the parameters for pavement conditions based on pavement age. He noted that reasons for performing pavement management are as follows: 1) it is the best value to taxpayers over the long run; 2) it balances expenditures; 3) it preserves property values; 4) and it does not push obligations to future generations. A cost comparison was reviewed over 60 years for traditional life-cycle which is reconstruction as opposed to optimal life-cycle which includes 2 seal coats and an overlay followed by 2 more seal coats and overlay and finally a reconstruct. The difference between the traditional life-cycle and the optimal life-cycle results in a difference of \$660,633.6 which is a 32% difference in cost using the optimal life-cycle maintenance activity. The reason for concrete curb and gutter is because it: 1) assists in drainage and water quality; 2) reduces edge failure; 3) is a safety benefit because it defines the street; 4) reduces plow damage to yards or pavement edge; 5) street sweeping edge; mowing edge advantage; concrete is rigid, bituminous is flexible during summer temperatures; and 8) because of aesthetics and improves property values. **Street Inspection and Ratings:** Township staff has rated streets on a 0-5 scale. Average street rating should be 3.5 or higher. Streets below 2.2 rating should be considered for reconstruction. The Township has approximately 36 miles of streets. The 2011 reconstruction project

completed 4.25 miles. There are approximately 40% of street which have curb and gutter. There are approximately 5.7 miles of street below 2.2 rating.

Funding options for street improvements are provided by assessments, tax levy (improvement levy), stormwater funding (storm sewer and curb), street improvement districts, franchise fees, local road improvement program (local roads of regional significance). For reconstruction the Township assesses 100%; State Statutes (429) requires that the assessment project cover at least 20% of the costs. Assessment amount for the 2011 White Bear Township road project was \$4,358 per unit; Prior Lake experience had \$8,000- \$10,000.

To prepare citizens a Public Communication Plan is advised to provide general information; mapping of future reconstruction area; brochure to property owners on upcoming projects; website updates; and neighborhood meetings ahead of any project. A summary for road improvement is to have the right improvement at the right time; priority 1 should be perform crack sealing, seal coating, and mill and overlay; priority 2 is to develop a program for average of 0.7 miles of reconstruction per year (36 miles / 50 years).

The recommended next steps is for a street network research on White Bear Township streets; verify costs for future improvements; project grouping recommendations; prepare funding plan for future; reconstruction based on grouping; prepare communication plan and an optional step to re-rate streets.

Larry Poppler reviewed the plan that he worked with in the City of Prior Lake which he felt is a good guide for road improvements. He stated that this type of plan could be produced for the Township.

**FRANCHISE FEES – ATTORNEY UPDATE:** At the July Executive Meeting there was discussion regarding negotiating a franchise agreement with utility companies and dedicate this revenue source for street improvement. The Town Attorney researched franchise fees. He reported that the Town does have the power to negotiate franchise fees. To initiate this process the Town would have to adopt an Ordinance creating franchise fees. The fee can be imposed on all utility customers and put in a special fund for street improvement. A direct benefit for the fees charged must be shown. The Town Attorney will draft a memo outlining what the Town can do.



## Town Board Executive Meeting September 28, 2018

**Agenda Number:** 13

**Subject:** Trails

a. Lake Links

**Documentation:** None

### Action / Motion for Consideration:

Report at Meeting / Discuss

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Minutes  
Executive Meeting  
August 24, 2018

**TRAILS: 1) LAKE LINKS; 2) BALD EAGLE BOULEVARD:** Ramsey County is surveying the road to define the right-of-way on South Shore Boulevard. The Lake Links committee has met with property owners regarding accommodating a trail on the North Shore area. There are ten properties in the Township segment of the trail in that location.



## Town Board Executive Meeting September 28, 2018

**Agenda Number:** 14

**Subject:** 5685 Portland Avenue – Receive EDAB  
Recommendation

**Documentation:** None

### Action / Motion for Consideration:

Report at Meeting / Discuss

Minutes  
EDAB Meeting  
September 11, 2018

**5685 PORTLAND AVENUE:** Three past development options for the property at 5685 Portland Avenue were reviewed. Option #1 (2015 - Larry Alm, developer) had 19 total lots. 13 lots could be included in a TIF Redevelopment District; Option #2 (2006 – Steve May, developer) had 13 lots. 9 lots could be included in a TIF Redevelopment District; Option #3 (2017 – Town) had 8 single family lots. All 8 lots could be included in a TIF Redevelopment District. It was estimated that the cost to acquire the property and pay legal fees would be at least \$1,300,000: land at \$975.00, legal at \$250,000; and clean-up at \$75,000.

The Township would like to proceed with marketing the property. The market value is \$1 million but the Town will have to have the property appraised again. The issue with this property is the Land Use Safety Zone which was developed for a purpose. The Township received the Benson Airport with the understanding that the conservation easement would allow the airport to operate for forty years as an airport. If the Town jeopardizes the easement the airport goes back to the family.

In response to a question if there has been interest from developers regarding the property, the Clerk stated that Larry Alm, who submitted the development plan in 2015 for 19 units is interested. Mr. Alm has stated that he has the capacity and team to build whatever the Town would like to see there. The Town has the authority to negotiate a sale with Larry Alm. Another approach is to put the land out for competitive proposals with certain specified conditions. The Clerk will ask the Town attorney regarding an appropriate approach for selling the property. Horak asked how it is determined how much TIF to offer. The Clerk stated that this could be a 25 year Redevelopment District. The development agreement could provide that qualified costs include acquisition, clean-up and site improvements.

It was the consensus that Option #3 (Township plan) for 8 single family units was the most feasible. This option would address the issues raised by the neighbors regarding development of the property.

Horak moved to inform the EDA that they support TIF for the development of the property at 5685 Portland Avenue because it meets the criteria in the Township TIF Policy (existing substandard buildings; preservation of the Land Use Safety Zone; difficult to sell as is; and to provide a safe community to eliminate a dead end street to provide alternate EMS service.) Brunner seconded. Ayes all.

It was noted that the Town needs to optimize the return without amending the Zoning District Map/Land Use Safety Zones.

McCune moved to recommend to the EDA that the sale of the property at 5685 Portland Avenue maximize the return based on no need for Zoning Ordinance amendments. Horak seconded. Ayes all.



**Town Board Executive Meeting  
September 28, 2018**

**Agenda Number:** 15

**Subject:** Public Works Report

**Documentation:** None

**Action / Motion for Consideration:**

Report at Meeting / Discuss



## Town Board Executive Meeting September 28, 2018

**Agenda Number:** 16.a

**Subject:** Code Enforcement Officer Report/Building Inspector Items.

a. 2105 Stillwater Street

**Documentation:** Code Enforcement Officer Correspondence

### Action / Motion for Consideration:

Receive Information / Discussion

-----  
Minutes  
Executive Meeting  
July 27, 2018

**CODE ENFORCEMENT OFFICER / BUILDING INSPECTOR ITEMS: 6) 2105 STILLWATER STREET – UPDATE; 2105 Stillwater Street:** The property was posted as unfit for human habitation pursuant to Township Ordinance No. 47, Section 13(1), in that the defects create a hazard to the health, safety or welfare of the occupants or of the general public, because the building fails to provide minimum safety and sanitary condition. The building is vacant and an adult son is cleaning it out. It is anticipated to be an extensive clean up. The Building Official is in communication with the owner's son.



## WHITE BEAR TOWNSHIP

1858  
RAMSEY COUNTY  
MINNESOTA

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

1281 HAMMOND ROAD  
WHITE BEAR TOWNSHIP, MN 55110

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

### ABATEMENT ORDER

September 24, 2018

Cesario Lopez & Lupe Lopez  
3872 Elmwood Street  
Saint Paul, MN 55127

**RE: 2105 Stillwater Street  
White Bear Township MN 55110  
Pin No. 11.30.22.42.0042**

To Whom It May Concern:

As the owner of the property located at 2105 Stillwater Street, 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. 35, Section 7-6.2, "*All vehicles must be currently licensed and operable*"

After reasonable inspection, the officer has determined that the late model Chevrolet van is inoperable and unlicensed. Said conditions represent a public nuisance under Township Ordinance No. 16, Section 4-4.15, which must be abated no later than midnight on October 1, 2018.

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 Posted – 2105 Stillwater Street



recycled paper



**Town Board Executive Meeting  
September 28, 2018**

**Agenda Number:** 16.b.

**Subject:** Code Enforcement Officer Report/Building Inspector Items.

b. 5456 Township Drive

**Documentation:** None

**Action / Motion for Consideration:**

Receive Information / Discussion

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Minutes  
Executive Meeting  
August 24, 2018

**CODE ENFORCEMENT OFFICER / BUILDING INSPECTOR ITEMS: 1) 5456 TOWNSHIP DRIVE – NUISANCE CAR: 5456 Township Drive:** This property has had currently unlicensed and inoperable vehicles on the property for some time. The tabs on one vehicle expired in July. The property owner pled guilty and was placed on probation.



**Town Board Executive Meeting  
September 28, 2018**

**Agenda Number:** 17

**Subject:** Clerk-Treasurer Report

- a. Arbor/Hillaire Sign Request

**Documentation:** None

**Action / Motion for Consideration:**

Town Clerk Report at Meeting / Discuss



**Town Board Executive Meeting  
September 28, 2018**

**Agenda Number:** 18 - 19

**Subject:** Open Time

Added Agenda Items

**Action / Motion for Consideration:**



**Town Board Executive Meeting  
September 28, 2018**

**Agenda Number:** 20 – 21

**Subject:** Receipt of Agenda Materials / Supplements  
Adjournment

**Action / Motion for Consideration:**

Receive All Agenda Materials & Supplements for Today's Meeting

Adjourn Meeting