



WHITE BEAR TOWNSHIP

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

AGENDA TOWN BOARD MEETING OCTOBER 1, 2018

1. **7:00 p.m.** Call to Order at Heritage Hall, 4200 Otter Lake Road, White Bear Township, Minnesota.
2. Approval of Agenda (Additions/Deletions).
3. Approval of Payment of Bills.
4. Approval of Minutes of September 17, 2018 (Additions/Deletions).
5. **Consent Agenda:**
 - A. **Public Works Service Door Canopies** – Based on Public Works Director Review & Recommendation Reject Quote Received from Cobra Construction, Inc. & Approve New Request for Quotes in Early 2019.
 - B. **Revised Resolution Accepting Township Day Donations** – Adopt Revised Resolution.
 - C. **Resolution Designating Polling Places for the 2019 Elections** – In Accordance with State Statutes, Adopt Resolution Designating Polling Places for the 2019 Elections.
 - D. **Side Setback Variance Request @ 4100 Bellaire Avenue** – Call Public Hearing for Monday, November 5, 2018 @ 7:00 p.m. to Consider Granting a 14.2' Side Yard Setback Variance.
 - E. **Right-of-Way Permit** – Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve the Comcast Permit to Install an Underground Coaxial Cable Television Line to Serve the Business at 2320 Leibel Street Which Will Require Directional Boring.
 - F. **Right-of-Way Permit** – Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve the XcelEnergy Permit to Install a New Gas Service for the Residential

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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Development Using the Conduit Crossing Installed With the Three Oaks of White Bear Township Improvement Project Which Will Require Directional Boring.

6. **Old Business:** None.

7. **Public Hearings:**

A. **SMC, 5858 Centerville Road** – Request for Amendment to Ordinance No. 35, Section 7-18 – Advertising Sign Overlay Area & Conditional Use Permit.

8. **New Business:**

General Business:

A. **Parkview Village** – Pavement Concerns.

B. **Solicitor License Request** – Happy Hippie Homes, LLC.

9. **Added Agenda Items.**

10. **Open Time.**

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

12. **Adjournment.**

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Town Board Meeting October 1, 2018

Agenda Number: 1 - 2 - 3 - 4

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

Approval of October 1, 2018 Agenda
Approval of Payment of Bills

Approval of Minutes of September 17, 2018 Town Board Meeting

Documentation: October 1, 2018 Agenda
September 17, 2018 Town Board Minutes

Action / Motion for Consideration:

Call meeting to order:	7:00 p.m.
Approval of Agenda:	October 1, 2018 (additions/deletions)
Approval of Payment of Bills	
Approval of Minutes:	September 17, 2018 Town Board Minutes

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

Present: Supervisors: Kermes, Prudhon, Ruzek; Clerk: Short; Attorney: Lemmons; Finance Officer: Kelly; Public Works Director: Reed; Planner: Riedesel; Engineers: Larry Poppler and Jim Studenski.

APPROVAL OF AGENDA (Additions/Deletions): Prudhon moved approval of the agenda with the following amendment: Delete Consent Agenda Item 5A) Receive Annual Report - Benson Airport Operation Plan; Add 8E.1) Anderson Lane Road Concerns.

APPROVAL OF PAYMENT OF BILLS: Prudhon moved approval of payment of bills.

APPROVAL OF MINUTES OF SEPTEMBER 5, 2018 (Additions/Deletions): Ruzek moved approval of the Minutes of September 5, 2018. Prudhon seconded. Ayes all.

CONSENT AGENDA: Ruzek moved approval of the Consent Agenda as follows: 5A) Call Public Hearing for Monday, December 3, 2018 at 7:00 p.m. at Heritage Hall, 4200 Otter Lake Road for Vacation of Excess Right-of-Way – 5436 East Bald Eagle Boulevard; 5B) Call Special Town Board Meeting for Tuesday, September 25, 2018 at 3:00 p.m. at Heritage Hall, 4200 Otter Lake Road to Discuss Succession Planning; 5C) In Accordance with Town Ordinance No. 35, Section 9-6.3(e) and Based on Staff Review and Recommendation and Approval, Ratify the Town Clerk's Issuance of an Administrative Driveway Variance at 2089 Stillwater Street; 5D) In Accordance With State Statutes, Adopt Resolution Accepting Township Day Donations; 5E) In Accordance with the Township's Special Events Policy, Approve the Joint Otter Lake Elementary/Lincoln Elementary Schools BearScare Fun Run on October 27, 2018 from 9:00 a.m. to 12:00 Noon from Hammond Road to Ninth Street via Otter Lake Road; 5F) Based on Town Engineer Review and Recommendation and Including His Recommended Conditions, Approve the XcelEnergy Permit to Extend Gas Service for a Residence at 5530 Peterson Road Which Extension Will Require Directional Boring; 5G) Based on Town Engineer Review and Recommendation and Including His Recommended Conditions, Approve the Xcel Energy Permit to Replace Cable Service for Residence at 5409 Brittany Court Which Will Require Directional Boring; 5H) Receive Construction Activity Report. Prudhon seconded. Ayes all.

OLD BUSINESS: There were no Old Business items.

5605 HUGO ROAD – RIGHT-OF-WAY SETBACK VARIANCE REQUEST TO ALLOW GARAGE CONSTRUCTION: The Public Hearing was held at 7:05 p.m. Ruzek moved to waive the reading of Public Notice noting that proper publication was made. Prudhon seconded. Ayes all. Ruzek moved to open the Public Hearing. Prudhon seconded. Ayes all.

The Planner reported that John and Kathryn Schwartz recently purchased the home at 5605 Hugo Road and are requesting approval of three variances which would allow them to add a garage to the home. There currently is no garage on the property. The lot is 55' wide and 5,480 square feet in area and is considered an undersized lot of record. The Town's current minimum lot requirements are 80' in width and 12,000 square feet in area. In addition to adding a garage the new property owners would like to remodel the home. The garage is proposed to be attached

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to the home with a family room above the entryway. The garage is proposed to be 24' x 24', 6.25' from the south lot line; 16.6' from the Hugo Road right-of-way which requires a public hearing and right-of-way setback variance. The existing home footprint is 1,367 square feet area and with the additional garage and entryway brings it to 1,943 square feet in area. They have plans to remove an asphalt driveway and existing sidewalk and replace with pavers to offset the increase in impervious area planned with the additional square footage in the house and garage. The specific request is for an 18.4' right-of-way setback variance to place the front of the garage 16.6' from the Hugo Road right-of-way; a 28 square foot garage variance which would allow a 576 square foot garage on a 5,490 square foot lot; and an 18% green area variance which would allow the garage addition and driveway. This lot abuts Bald Eagle Lake. The maximum permitted is up to 25% lot coverage. They propose to cover 43% of the lot. This section of Hugo Road has had several variances reviewed and approved since the 1980's. The requests were reviewed by the Variance Board and recommended for approval subject to narrowing the driveway to create additional green space. The Planning Commission reviewed the requests and recommends approval based on Variance Board recommendation. The abutting neighbors on either side of the home provided input to the proposal. The neighbors to the north provided substantial input to the request for variances and the addition request. The Schwartz's modified their plan significantly as a result of this input.

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

In response to a question, John Schwartz, 5605 Hugo Road, stated that the Planner covered his request very well. Kermes acknowledged that the Schwartz's adjusted their plan to accommodate the requirements and input from the Township and neighbors.

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

Ruzek moved, based on Variance Board, Planning Commission and Staff review and recommendation to approve the following: 1) an 18.4' right-of-way setback variance; 2) 28 square foot garage area variance; and 3) an 18% green area variance to allow a garage addition at 5605 Hugo Road. Prudhon seconded. Ayes all.

5966 HIGHWAY 61 – ZONING ORDINANCE AMENDMENTS AND CONDITIONAL USE PERMIT REQUEST TO ALLOW A MAKER SPACE: The Public Hearing was held at 7:15 p.m. Prudhon moved to waive the reading of Public Notice noting that proper publication was made. Ruzek seconded. Ayes all. Prudhon moved to open the Public Hearing. Ruzek seconded. Ayes all.

The Planner reported that the Lendway's are requesting Town approval to locate their business in the former Zappa's Sports building at 5966 Highway 61. They are proposing to purchase the building for a "maker space" where "club members" would be allowed to use the building and tools for woodworking or other craft making. The "maker space" would be in the rear of the building with the front of the building planned to be used for office and classroom space. A portion of the office area may be leased or used by club members. Maker space is not listed

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as a Permitted or Conditional Use in the B-2 Zoning District. Steps to approve the request requires: 1) definition of Maker Space to the list of definitions; 2) add Maker Space to the list of Conditional Uses in the B-2 Zoning District; and 3) Approve a Conditional Use Permit and Zoning Certificate.

The Zappa's Sports building is 9,000 square feet in area with 15 parking spaces on the north side of the building. The Lendway's anticipate about 10 club members there at any given time. There is a similar facility in Burnsville and two others in northeast Minneapolis. One of the northeast Minneapolis facilities is called the "Hack Factory". The building has been vacant for a while and there are several issues including a second lift in the parking lot is needed; striping of the parking lot; and completion of the landscaping plan. The current property owner has agreed to take care of these issues prior to the maker space business moving into the property.

The use was reviewed by the Planning Commission in July and August and recommended: 1) adding Maker Space to the list of Conditional Uses in the B-2 Zoning District; 2) adding Maker Space to the list of definitions to the Zoning Ordinance; and 3) approval of the Conditional Use Permit for Maker Space use.

Prudhon asked if #5 of the Conditional Use Permit Requirements (No outside storage shall be allowed unless stored within the screened storage area on the site) is included since it appears to be crossed out. The Planner stated that condition is not recommended since there is no outside storage proposed as part of this use. Prudhon asked about #4) Meeting the requirements of the Town's Code Enforcement Officer and if it includes striping of the parking lot, parking lot fixed properly, and draining as originally required. The Planner stated that those items are included. Prudhon asked about #7) All signs shall meet Sign Ordinance requirements. He stated that it does not say "White Bear Township" on the sign. The Planner explained that the Town logo is at the bottom of the sign. Ruzek stated the issue of paints and flammables has been discussed at the Planning Commission meeting. He asked if there should be a condition relating to flammables. It was a concern of the Planning Commission regarding paints and varnishes. He stated that the applicants have stated that they would not be using flammables, but this business could morph into something else and asked if a condition should be added.

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

Tom Lendway stated that they intend to talk to the Fire Marshall to be sure that they are in compliance with storage or disposal of solvent etc. They have no intention of allowing the members to store any materials on site. They may bring it in but must remove it when they leave. Prudhon asked if they have hours of operation. Mr. Lendway stated that at present they do not have set hours proposed. As the membership grows they may adjust the hours to meet their needs. Working members may want to use the space evenings or weekends, so hours would be set to accommodate them initially and be flexible. In general they are thinking of hours from 8:00 a.m. – 9:00 p.m. during the week and 9:00 a.m. – 6:00 p.m. on the weekends. Prudhon stated that with scheduled time it would better define what parking is needed. Mr. Lendway stated that they have different membership types which helps them determine what times fits the member best. If they get a number of members whose normal work hours are 9:00 – 5:00

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and would be using the facility in the evening, Maker Space would determine how to control which hours are heavily used and may direct members to different hours if possible. They will be tracking this. Kermes asked if they would be considering 24 hours per day operation. Mr. Lendway stated that staffing would be required and they would not consider 24 hour operation. Any time that members would be there a staff member would be present.

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

Fred Zappa, owner of Zappa Sporting Goods stated that in talking with Holiday corporate the east side of their building has open parking. Holiday would like to have activity back there since only employees park there. Something could be arranged with Holiday for the Maker Space business if more parking is needed.

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

Ruzek moved, based on Planning Commission and Staff review and recommendation to Adopt the amendment to Ordinance No. 35, Section 3 – Definitions which adds Section 3-42.A. – Maker Space to the list of definitions. Prudhon seconded. Ayes all.

Ruzek moved, based on Planning Commission and Staff review and recommendation to adopt the amendment to Ordinance No. 35, Section 6-5 – Conditional Uses which adds No. (12) Maker Space to the list of Conditional Uses in the B-2 Zoning District. Prudhon seconded. Ayes all.

Ruzek moved, based on Planning Commission and Staff review and recommendation to approve the Conditional Use Permit / Zoning Certificate with attached requirements for a Maker Space adding No. 8 – Prohibit storage of varnishes, cleaners, and flammable materials and deleting No. 5 – No outside storage shall be allowed, since they do not propose any outside storage. Prudhon seconded. Ayes all.

IMPROVEMENT 2016-2 – SE AREA SEWER RELINING – APPROVE FINAL PAYMENT: The Town Engineer reported that the Southeast Sanitary Sewer System Rehabilitation project has been completed. The contractor has been performing all necessary warranty adjustments on the project. All work has been reviewed and approved by Public Works staff and TKDA. All required documents including their subcontractor documentation has been received. All road and yard restoration has gone through the warranty period. The sewer system has been properly functioning without any issues. The project came in under budget and was assessed to the benefiting properties. Final payment to Hydro-Klean, LLC in the amount of \$61,583.69 is recommended which brings the total construction cost to \$955,717.85. The final project cost is under the project cost of \$1,016,177.18.

Prudhon moved, based on Town Engineer review and recommendation and report at tonight's meeting to approve the final payment to Hydro-Klean, LLC in the amount of \$61,583.69 which brings the total construction cost to \$955,717.85 for Improvement 2016-2 – SE Area Sewer Relining Improvement Project. Ruzek seconded. Ayes all.

STILLWATER STREET STORM IMPROVEMENTS – RECEIVE AND AWARD QUOTE: The Town Engineer reported that quotes were received for the 2074-2082 Stillwater Street storm sewer improvements. This project is repairing storm sewer along a lot line between two homes. Both abutting property owners support the project. Right-of-entry agreements will be obtained to perform the work. Four contractors were asked to provide quotes. The following quotes were received: 1) Jeanetta & Sons Excavating for \$12,500.00; 2) Jon Bell – no bid; 3) Mike Capra – no bid; 4) Dean Luxenburg – no bid. The project is recommended to be completed as soon as possible. In response to a question what should be done if only one bid is received, the Town Attorney stated that statute requires that at least two bids be solicited, however, in the event that there is only one bid, best effort is acceptable. The Engineer reported that TKDA will work with Public Works and perform the construction observation for an amount not to exceed \$2,900.00. The project is funded by the Storm Water Utility Fund. Construction will be finished by November 21, 2019.

Prudhon moved, based on Town Engineer review and recommendation and report at tonight's meeting to receive the quote from Jeanetta & Sons Excavating and award the quote to Jeanetta & Sons Excavating in the amount of \$12,500 for Stillwater Street storm improvements noting that four quotes were solicited and one quote was received. Ruzek seconded. Ayes all.

Prudhon moved to authorize TKDA to perform the construction observation for an amount not to exceed \$2,900.00 with funding from the Storm Water Utility Fund. Ruzek seconded. Ayes all.

Prudhon moved that the contract is subject to receiving executed right of entry/ license agreements from the owners of the properties at 2074 and 2082 Stillwater Street. Ruzek seconded. Ayes all.

WHITE BEAR TOWNSHIP PAVEMENT MANAGEMENT PROGRAM – AUTHORIZE PREPARATION: The Town Engineer noted that at the September 5, 2018 Town Board meeting he provided a presentation on pavement management. The Town Board then discussed overall pavement management and requested a proposal from TKDA to define a program for overall pavement management within the Township. An outline of the steps to complete an evaluation and preparation of a Pavement Management Plan for White Bear Township will include the following: 1) Street network research; 2) Mapping of street network ratings; 3) Cost verification of mill and overlay areas; 4) Cost verification of rehabilitation and reconstruction areas; 5) Field verification of areas; 6) Project area mapping by year; 7) Preliminary assessment calculations; 8) Street improvement communication outline; 9) Communication brochure template; 10) Pavement management booklet; 11) Website information; 12) Meeting with Town Finance Officer regarding a Funding Plan; 13) Meetings with Township staff and include Town Board members as applicable. These steps will assist the Board in planning, funding, and communication of street improvement projects within the Township. TKDA offers to complete these steps for a not to exceed cost of \$36,800. The Pavement Management Plan will be funded through the Improvement Fund. It is anticipated that the process for the completion of the plan will be iterative, but it is expected that the work will be completed by December 2018. The Town Board will be updated throughout the process. Prudhon asked if the work could be done by December, the Town Engineer stated that they propose to have the plan available by December but if needed, the process may go into January, particularly because the funding portion may

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require more time. In response to a question the Finance Officer stated that there will be assessment for some of the work and there is the Improvement Fund which has a little over \$1 million that is not committed to any project at this time. There has also been discussion on franchise fees. The Town will continue to grow the Improvement Fund to pay the Township portion of the projects.

Ruzek moved, based on Staff and Town Engineer review and recommendation and report at tonight's meeting to authorize TKDA to prepare a Pavement Management Plan which will assist the Town Board in the planning, funding, and communication of Street Improvement projects within the Township at a cost not to exceed \$36,800, with funding from the 505 Improvement Fund. Prudhon seconded. Ayes all.

ANNUAL STORM SEWER SYSTEM INSPECTION – AUTHORIZE INSPECTIONS:

The Town Engineer noted that the Township is responsible for inspection and maintenance of the storm sewer system including approximately 16 miles of storm sewer pipe, 93 storm water ponds, 664 catch basins, 136 manholes, and 340 flared end sections. As a requirement of the Minnesota Pollution Control Agency, the storm water system must be inspected and conditions documented. The following criteria must be examined during the inspection: 1) Determine if the storm water system, basin or pond inlet(s) and outlet(s) are in good working condition and able to perform their intended function; 2) Identify misaligned inlets or outlets/overflow devices; 3) Identify and record: a) scour; b) erosion; c) significant sedimentation; d) clogged or overloaded system, inlets, or outlets; e) other problems at or around the pond banks, inlets or outlets; 4) Identify excess or unwanted vegetation; 5) Identify and record materials within the device that are deteriorating and releasing pollution into the storm water system; 6) Take the following pictures: a) storm system inlets, outlets, structures; b) overall pond; c) pond inlet(s); d) pond outlet; e) any areas of concern; 7) For infiltration practices that should be dry (e.g. infiltration basins, filter strips/swales identify standing water or wet spots. If standing water is present, determine if the device is functioning as designed and meeting the 48 hour draw down requirement; 8) Use collected data to determine a maintenance and material removal schedule for each device. If work is needed: a) inform Township staff of maintenance needed; b) record anticipated and actual work dates.

Township staff have inspected approximately one third of the ponds within the system and all of the outfalls to the lakes. Additional inspection is necessary to get up to date with required inspections both for the MPCA requirements and Township maintenance of the storm water system. TKDA offers to complete the inspections for the remaining system for a not to exceed cost of \$18,000. This work will also include a summary document which prioritizes maintenance activities needed for the system. It is anticipated that this work would be completed by November of 2018. Prudhon asked if any of the projects could be included under the I&I program which were mandated. The Town Engineer stated that these projects are with the storm water system and the I&I program has to do with the sanitary sewer system. The Town Engineer stated that it would not qualify. Ruzek noted that the process may determine sources for impacting the storm water system. The Engineer stated that it would.

Prudhon moved, based on Town Engineer and Staff's review and recommendation and Engineer's report at tonight's meeting to authorize TKDA to complete the necessary stormwater

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inspections needed to complete Township maintenance of the system in an amount not to exceed \$18,000 which work will also include a summary document which prioritizes maintenance activities needed for the system, with funding from the Stormwater Utility Fund. Ruzek seconded. Ayes all.

SE AREA STREET IMPROVEMENTS – AUTHORIZE SURVEY AND TESTING OF AREA: At the September 5, 2018 Town Board meeting the Town Engineer provided a presentation on pavement management. Two members of the public spoke at the meeting expressing concern for their streets within the SE area of the Township and their preference for completing improvements to their streets as soon as possible. TKDA has provided a proposal for the completion of a pavement management plan. If this proposal is approved by the Board, the work is likely to conclude in December. The Engineer stated that the streets in the SE area are poor and this area will be programmed as a part of the Pavement Management Plan. As a parallel process to the Pavement Management Plan process, the Town Board could start data collection now for the southeast area north of County Road F which is 1.5 miles of street improvement. With the data collection complete, this data could be used over the winter months to develop plans for delivery of a project in the summer of 2019. TKDA offers to complete data collection including field survey and geotechnical exploration for a not to exceed cost of \$25,500. It is anticipated that this work would be completed by December of 2018. The data collection would be funded through the Improvement Fund which would be reimbursed once a project has been approved and assessed. Kermes reported that a comment was made earlier about whether notice would be going out to the affected property owners before the data collection begins. The Town Engineer stated that letters would be sent to the property owners letting them know that there will be surveying and soil borings going on. They would like to get shots of driveways up to the garages to make sure that they get good data on the necessary points. Ruzek asked if the geotechnical exploration includes what is under the base of the street. The Engineer stated that is correct. Ruzek asked if any of this relates to the work being discussed on relative to a trail on South Shore Boulevard. The Engineer stated that this does not impact any work being discussed for South Shore Boulevard. These are streets that go up to South Shore. Any work that is being done on the Southeast Area streets would be taken into consideration by the engineering for South Shore Boulevard to minimize any impact on the southeast area streets being worked on. Ruzek asked about concrete curb and gutter. The Engineer stated that some of the streets are pretty narrow and surmountable curbing could be considered.

Prudhon moved, based on Town Engineer and Staff review and recommendation and Engineer's report at tonight's meeting to authorize TKDA to complete data collection in the southeast area of the Township including field survey and geotechnical exploration for an amount not to exceed \$25,500, with funding from the 505 Improvement Fund. Ruzek seconded. Ayes all.

ANDERSON LANE ROAD CONCERNS: The Clerk reported that he met with Patrick Olson, 1141 Anderson Lane this week regarding concerns about safety, water quality and damage to lawns as a result of construction activities by the contractors working on the Three Oaks public improvement project.

Patrick Olson, 1141 Anderson Lane reported that he is not the only one with concerns with what is going on at Anderson Lane, particularly with EJM Services. He expressed concern about

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cone placement, warning lights, traffic control and flagging, and intersection visibility at Anderson Lane onto Centerville Road. When they shut the water off they provided a flyer stating that the water would be shut off on September 7th between 8:00 a.m. and 3:00 p.m. The water was not on by 6:00 p.m. He stated that on that road there is a group home, very small new born children, older citizens who would not be able to get into their cars to use a restroom. There were no port-o-lets out to accommodate the 20+ homes affected by this disruption. When the water was turned on he had to run every tap in the house for 30 minutes to clear the water. Mr. Olson stated that he stopped down at the site about 4:30 p.m. and talked to the inspector who told him that they would get water in about 15-20 minutes. It was actually a few hours later. She stated that they ran into a problem with water. He stated that there is a pond on the corner of Anderson Lane which should have been apparent. He stated that clean-up is atrocious. They never cleaned up the road during the process. There was a cloud of dust when they did clean it up. These are basic safety issues. The contractor was swinging the pipes across Centerville Road with no flag people to alert traffic. The trucks used the corner of Anderson Lane to turn their trucks around. This is a bus stop for children. He provided pictures where they moved barrels so people would not run into the contractor large equipment parked there in the night. He stated that the Sheriff's Office was notified, but there was no response. One concern is the big loader on the east side of the road. The cone is smashed under the loader. There is a hole where they are drilling and no cover over the hole at night. He asked who he can have a candid conversation with regarding their concerns as to why this is happening and will it happen again.

Jim Studenski, Town Engineer, said he is supervising the contractor work on the site. He stated that the work that is happening at Anderson Lane is the connection of the water main. Water comes from the main on Centerville Road north of Anderson Lane, then heads east to the end of Anderson Lane. This project will extend water from H-2 north to Anderson Lane at that connection. Early in the project the de-watering company went down Anderson Road. They were told there is no turn-around. They drove to the end of the road and turned around in yards. He provided photos of yards that had to be repaired due to damage from the trucks. This should not have happened. More signs will be going up. He stated that he has been in touch with the North Oaks Company regarding permanent signage for both Anderson Lane and Peterson Road. They will work with Township staff and the North Oaks Company regarding signs. Prudhon stated that he has received calls regarding the contractor continually violating the contract. He stated that he lives in that area and sees it every day. Jim Studenski stated that there is frustration all around with the way things are being dealt with. He stated that to date no payments have been made to EJM. EJM under estimated how long it would take to complete the watermain work near Anderson Lane. They clearly continued to under estimate the time needed to do this activity. They were not done with the work until 4:45 p.m. In response to a question regarding sedimentation in the pipes the Town Engineer reported that the system has accumulation of sediment built up in the pipes as they age. When the valve was turned off and the pipe recharged it stirs up sediment. There is no health risk issue associated with it. The Township does standard maintenance and flushes throughout the Township. On Friday night was the first night that work was done. A call came in and on the following Wednesday and the line was flushed. On that Friday Public Works went out and took water quality samples to confirm that there were no issues, and there was not. The Engineer stated that there was a very heated discussion today and there will be daily discussions. The Public Works Director reported that the Town has six wells, two wells serve the south system and four serve the north system. What

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accumulates in the pipes are minerals, such as iron and manganese. Flushing minimizes this settlement. The problem with the Anderson Lane 6" pipe is that it is small and when the valve was turned on, air cleared out, and it cleaned up any settlement that may or may not have been there. Residents are asked to run a low level of cold water to clear out the line in the event there is any discoloration. This generally takes care of the issue. Kermes asked if there is a way to discharge the 16" water line before it goes into the 6" line. The Public Works Director stated that if there was a hydrant it could have been done. They did try to discharge the 6" line before it went to the 16" line. At dead ends when there is no movement there is more of chance of settlement.

The Town Engineer stated that it has been a frustrating situation on a daily basis with the contractor. The Engineer was told that the heavy equipment on Anderson Lane would be moved, but was not and the situation ended up with the county, contractor, and Township in a heated exchange. The equipment was moved today. The equipment was not on Anderson Lane but on Centerville Road which impacted sight lines for traffic trying to get in and out of Anderson Lane onto to Centerville Road. When the drill rigs were there it had to remain in that spot. At this point all the water main and sewer line work is done. 75% of the storm sewer is done and will be completed in a day or two. There is still some conduit to put in the roadway. That will be the end of the excavation. The one caveat is that they have to wait 30 days on the sanitary sewer to do pressure testing. The water pressure test within the 16" line along Centerville Road needs to be done. The water pressure test within the development is done. There will bacteria testing and connectivity testing done. There are no issues anticipated with the tests. If all those tests pass there will be no further work to be done other than road building. During the construction activity along the east side of Centerville Road there is damage to the shoulder of Centerville Road which means there will be corrective measures to remove the bituminous. The County requires a two foot subgrade, gravel, and several inches of bituminous. This will all be EJM responsibility. The turn lane will also be done by EJM. There is still one catch basin within the turn lane that needs to be extended five feet to align with the new curb section. Kermes asked the neighbors to deal with the issue for a few more days. The end is in sight. However, the neighbors should not have to put up with any safety concerns. The contractor has to respond to that. The Town Engineer stated that the County will come out and the Sheriff's Office will be made aware of any issues that are out there. The Engineer provided pictures of the intersection of Anderson Lane. Other than a few plastic cones and some restoration to complete on the north side there is no more work to be done at that point. There is a long stretch of roadway to be dug out and replaced. There will be some construction activity and shoulder replacement and restoration done at that intersection. In response to a question when they will do the restoration south of Anderson Lane on the east side, the Town Engineer stated that they do not have a definite date for the shoulder work. They will do the turn lane at the Three Oaks development entrance first.

Brad Diller, 5605 Centerville Road stated that he lives on the corner of Centerville and Anderson Lane. He stated that the residents on Anderson Lane and Centerville Road are the ones being put out by all of this. There is a right turn lane which took years to get. He stated that he understands that they had to take the turn lane out to get the construction done but to put the residents on the back burner until they get other work done is not right. The turn lane on Anderson is needed by the people who live there. Buses stop there to pick up kids at that turn

MINUTES
TOWN BOARD MEETING
SEPTEMBER 17, 2018

lane. Now they wait out in Centerville Road. He stated that they need to get that turn lane back as soon as possible.

Patrick Olson asked if they would be notified regarding the on-going status of the project. There has been no communication. The Town Engineer stated that engineering will work with the Public Works Director in getting letters out to the neighborhood. The Clerk stated that the site inspector is on the site each day. She can be asked to be in contact with the neighbors on Anderson Lane. Updates from TKDA can be put on the web site. The Engineer stated that once utilities are done there will be different crews doing various work daily so having contact with the site inspector may not be feasible. It was the consensus that updates on the Town's website would be the best form of communication. The Engineer stated that will start tomorrow.

Jim Blanda, 1170 Anderson Lane asked that if there is a safety violation at the end of the street why it is not being taken care of immediately. The Town Attorney stated that the Sheriff's Office should be contacted.

Updates will be provided via the Town's website and any other means of communication to keep the residents aware of what is going on. The Engineer will be meeting daily with the contractors and will provide updates as they become available. Safety issues will be prime concern.

BELLAIRE BEACH HOUSE INTERIOR AND EXTERIOR PAINTING – RECEIVE AND AWARD

QUOTE: The Public Works Director reported that the Township entered into a 99 year lease agreement with Ramsey County on May 23, 1989 for Bellaire Beach, located at 2499 South Shore Boulevard. As part of the lease the Township has the responsibility to "maintain the property in good repair and tenantable condition". In order to meet the intent of this agreement certain improvements will need to be made. The roof replacement was completed in the spring of this year for \$35,900.00, leaving a balance of \$24,100.00 for plumbing and bathroom renovations estimated at \$8,000.00; metal door and frame replacements for \$4,587.96; and painting of the exterior and interior for \$8,775.00; leaving a balance of \$2,737.04 for a storage pod to remove the items stored in the beach house over the winter temporarily while the painting work is completed and lighting efficiency improvements for the interior of the beach house completed. Staff requested quotes from three contractors. Two of them provided quotes for complete painting of the interior and exterior as specified as follows: 1) Elite Finisher, Inc. for \$9,637.00 and 2) Fresh Paint, Inc. for \$8,775.00. Staff recommends approving the quote from Fresh Paint, Inc. for their low quote of \$8,775.00 for the painting of the interior and exterior of the Bellaire Beach beach house. Fresh Paint, Inc. completed painting projects for the Township in the past. The project is identified in the 2018-2027 CIP for \$60,000.00 with funding from the Parks and Recreation Account of the General Fund in 2018. Staff would like to have the painting done this fall if possible. If that is not possible, it will be done in the spring of 2019 before the beach opens.

Ruzek moved, based on Public Works Director's review and recommendation to receive the quotes from Elite Finisher, Inc. in the amount of \$9,637.00 and Fresh Paint, Inc. in the amount of \$8,775.00. Prudhon seconded. Ayes all.

MINUTES
TOWN BOARD MEETING
SEPTEMBER 17, 2018

Ruzek moved to award the quote to the low bidder, Fresh Paint, Inc. in the amount of \$8,775.00 with funding from the Parks and Recreation Account of the General Fund. Prudhon seconded. Ayes all.

2019 PRELIMINARY TAX LEVY – RESOLUTION REDUCING TAX LEVY PURSUANT TO MINNESOTA STATUTES, SECTION 475.61: The Finance Officer reported that the Township is required to certify its 2019 preliminary property tax levy to the County no later than October 1, 2018. This is the tax levy the County will use on the Truth-In-Taxation notices mailed 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. The Town residents approved a preliminary levy of \$3,868,742 at the Annual Town Meeting in March 2018. As staff has received budget requests from other agencies and adjusted other line item budgets, the proposed preliminary levy has been lowered to \$3,786,589. Therefore Staff recommends a 2019 preliminary levy of \$3,786.589 be certified. Following are the adjustments made to reach that amount:

- Lowered the PERA contribution from 8% to 7.5% since the State Legislature approved no contribution increase.
- Wage increase decreased from 3% to 2% January 1st and 1.5% July 1st.
- 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 Office.
- Fire budget increased \$14,000 based on budget numbers provide 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. This will be done over 2-3 years based on funding.
- Contracted services in road and bridge activity increased \$55,000 for EAB.
- 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 works timesheets.
- Township Day expenditures increased \$13,000 based on 2017 actual and 2-18 projected expenditures.

Changes in revenues include:

- Building permits and plan check fees increased \$5,000 and \$3,000 respectively for new construction in Three Oaks development.
- Facility rentals increased \$6,406 based on antenna leases.
- Transfer from the EDA Fund to the General Fund for Township Day decreased from \$15,000 to \$7,500.

**MINUTES
TOWN BOARD MEETING
SEPTEMBER 17, 2018**

- Fiscal Disparities decreased \$2,542 based on numbers provided by Ramsey County.
- Property taxes increased 19.21% to \$3,510,594.

Ramsey County estimated the Town's tax capacity at just over \$14,400,000 for 2019. That is an increase of just over 5.5%. It is the highest the Town's tax capacity has been since 2008. A preliminary levy of \$3,786,589 when applied against the Town's tax capacity would give the Town a tax rate of 24.342% which is lower than the final 2013 final rate and is still the third lowest in Ramsey County. However it is higher than both the final 2018 final rate of 21.568% and the 2018 preliminary rate of 23.910%.

The County has estimated the median value home at \$265,900 which is a 4.1% increase over the 2018 value. When the tax rate is applied to the estimated value if the home increased by the 4.1% increase the home owner would see a tax increase of between \$56.00 (at the low end of the value) and \$140.00 (at the high end of the value).

A preliminary tax levy of \$3,786,589 when applied against the Town's tax capacity would give the Town a tax rate of 24.342% which is higher than the preliminary rate of 23.910% for 2018. The preliminary property tax levy includes fiscal disparities and general operations levy.

Prudhon moved, based in Finance Officer's review and recommendation to adopt the Resolution Adopting the Preliminary Amount to be Raised by Property Taxes for the Year 2019 in the Amount of \$3,786,589. Ruzek seconded. Ayes all.

2019 UTILITY RATES – APPROVE: The Finance Officer reported that each year the Town reviews water, sewer and storm water rates to make sure that it meets the Town's goal of paying 100% of the operation cost of the system and to cover 75% of the annual depreciation of the system. With the proposed utility rate increases it will cover all costs of operation and close to 75% of depreciation. Even with that the cash balance in these funds will fluctuate based on whatever projects are approved.

The new rates will be billed for service for January, February and March which will be billed in early April 2019. Notice of the proposed 2019 rates will be sent to customers beginning with the next billing cycle.

The water rate is proposed to be raised from the current base rate of \$20.50 to \$21.25. Tier 1 (0-20,000 gallons) is being raised from \$2.25 to \$2.35 per 1,000 gallons; Tier 2 (20,001- 32,000 gallons) is being raised from \$2.45 to \$2.60; Tier 3 (32,001-44,000 gallons) is being raised from \$3.10 to \$3.38; and Tier 4 (44,001 +) is being raised from \$4.60 to \$5.75. Residential irrigation - \$3.38 and Commercial irrigation - \$4.20. Proposed Sewer Rates: Residential Base Rate, which includes 5,000 gallons of usage - \$51.00 (\$.20 increase); Commercial - \$45.15 (\$.15 increase). Volume Rate: Residential: \$4.00; Commercial - \$10.00. The proposed Storm Water Rate Per Quarter: \$21.00.

All volume rates are per thousand gallons with the sewer rate based on winter quarter water usage for residential customers.

**MINUTES
TOWN BOARD MEETING
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Prudhon moved, based on Finance Officer's review and recommendation and report at tonight's meeting to approve the 2019 Utility Rates as proposed by the Finance Officer. Ruzek seconded. Ayes all.

COMPREHENSIVE PLAN PUD DENSITIES – APPROVE PUD DENSITIES: The Planner reported the Planning Commission has been working with a consultant on 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. The Planning Commission, at their July meeting, recommended not to go with the Met Council proposal. The Town Board sent the matter back to the Planning Commission to have another look at it. At their August meeting, after further review, the Planning Commission recommended that it agrees with the consultant's recommendation regarding PUD densities, noting that high densities would be good for senior housing. The motion resulted in a vote for four in favor and three opposed.

Ruzek moved, based on Planning Commission review and recommendation to approve the PUD Densities which meet the Metropolitan Council Standards. Prudhon seconded. Ayes all.

ANNUAL COMMISSION TOUR – POSSIBLY JOINT WITH TOWN BOARD: The Clerk reported that several years ago the Public Safety Commission toured the Town as part of their annual tour program. This year they would like to tour the Town again to view any changes and to get the final perspective from the Clerk who is Staff liaison to the Public Safety Commission before his retirement. The Clerk asked if the Town Board would like to participate in the tour.

Prudhon moved to call Special Town Board Meeting for Thursday, October 4, 2018 beginning at 5:30 p.m. at the Township Administrative Office to join the Public Safety Commission in its annual tour. Ruzek seconded. Ayes all.

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

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

Prudhon moved to adjourn the meeting at 9:26 p.m. Ruzek seconded. Ayes all.

Respectfully Submitted,

William F. Short
Clerk-Treasurer

Approve as Official Meeting Minutes

Town Board Supervisor

Date



**Town Board Meeting
October 1, 2018**

Agenda Number: 5A – Consent Agenda

Subject: Public Works Service Door Canopies – Based on Public Works Director Review & Recommendation Reject Quote Received from Cobra Construction, Inc. & Approve New Request for Quotes in Early 2019

Documentation: Public Works Director Memo / Quote

Action / Motion for Consideration:

Receive Information

Based on Public Works Director Review & Recommendation Reject Quote Received from Cobra Construction, Inc. & Approve New Request for Quotes in Early 2019

MEMORANDUM

Date: September 19, 2018

To: Town Board

From: Dale Reed, Public Works Director

Re: Public Works Canopy Quote Rejection

Late this summer quotes were requested for the installation of canopies over two service doors at the Public Works Building. The bidding documents were sent to three (3) different area contractors for quotes. Only one contractor was responsive to the quote request. Cobra Construction, Inc. provided the only quote for \$39,686.20. The engineer's estimate was \$26,000.00. After consulting with the Jim Studenski, Town Engineer and Bill Short, Clerk/Treasurer on the quote. I am recommending rejecting the quote from Cobra Construction, Inc. and request for quotes again in early 2019.

Board action requested is to reject the quote for canopies over two service doors at the Public Works Building from Cobra Construction, Inc for \$39,686.20.

**Attachment #1
Bid Form**

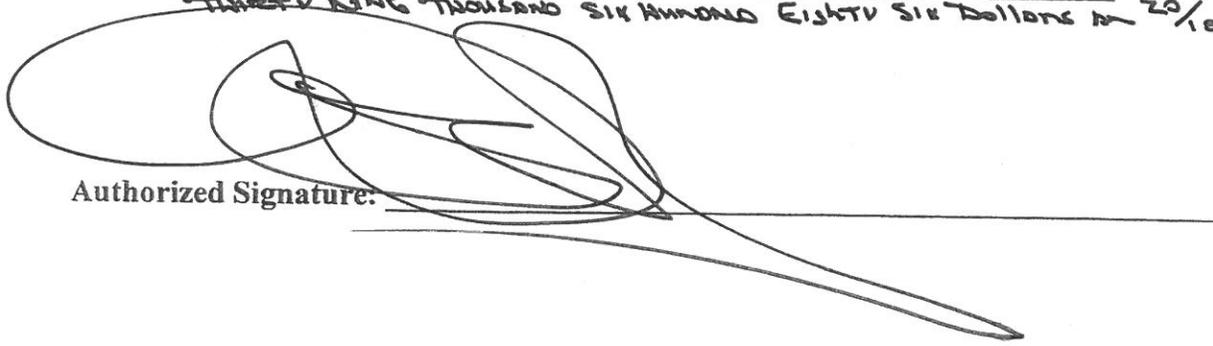
B18-1: QUOTES FOR THE ADDITION OF CANOPIES FOR SERVICE DOORS AT
THE PUBLIC WORKS BUILDING

Grand Total Bid (from Bid Summary Sheet) \$

39,686.20

~~THIRTY NINE THOUSAND SIX HUNDRED EIGHTY SIX DOLLARS AND 20/100.~~

Authorized Signature: _____

A large, stylized handwritten signature in black ink is written over the signature line. The signature is highly cursive and loops around itself, extending far to the right of the line.



**Town Board Meeting
October 1, 2018**

Agenda Number: 5B – Consent Agenda

**Subject: Revised Resolution Accepting Township Day Donations –
Adopt Revised Resolution**

**Documentation: Revised Finance Officer Memo /
Resolution Accepting Township Day Donations**

Action / Motion for Consideration:

Receive Information / Discuss

Adopt Revised Resolution Accepting Township Day Donations

Ruzek – Moves

Prudhon - Seconds

EXTRACT OF MINUTES OF A MEETING OF THE TOWN
BOARD OF THE TOWN OF WHITE BEAR, MINNESOTA,
HELD ON OCTOBER 1, 2018

Pursuant to due call and notice thereof, a regular meeting of the Town Board of the Town of White Bear, Minnesota, was duly held at Heritage Hall in said Town on October 1, 2018, at 7:00 o'clock p.m.

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

Supervisor Ruzek introduced the following Resolution and moved its adoption:

RESOLUTION ACCEPTING TOWNSHIP DAY DONATIONS

WHEREAS, the Annual Township Day Celebration was held on September 8, 2018,

AND WHEREAS, the Township received donations in the amount of \$1,222.34 to be used for future Polar Lakes Park improvements,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF WHITE BEAR, MINNESOTA:

Accept the donations totaling \$1,222.34 to be used for future Polar Lakes Park improvements.

The motion for the adoption of the foregoing Resolution was duly seconded by Supervisor Prudhon, and upon vote being taken thereon, the following voted in favor thereof: Kermes, Prudhon, Ruzek; and the following voted against the same: None.

Whereupon said Resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
)
COUNTY OF RAMSEY) ss.
)
TOWN OF WHITE BEAR)

I, the undersigned, being the duly qualified and acting Clerk of the Town of White Bear, Minnesota, DO HEREBY CERTIFY, that I have carefully compared the attached and foregoing Extract of Minutes of a regular meeting of the Town Board of the said Town held on the 1st day of October, 2018, with the original on file in my office, and that the same is a full, true and complete transcript therefrom, insofar as the same relates to the preliminary levy of the Town of White Bear.

WITNESS my hand as such Clerk and the Town Clerk's Seal this 1st day of October, 2018.

TOWN CLERK, TOWN OF WHITE BEAR, MINN.

Accept 2018 Township Day Donations. (TK)

A. REFERENCE AND BACKGROUND:

The Town received the donations listed below:

Township Day Donations			
Item Donated	Donated By	Winning Bid	Bid Amount
Launch the Fireworks	RES Specialty Pyrotechnics/White Bear Township	Dan Shattuck	\$50.00
Bird House	Unknown	Dan Shattuck	\$15.00
4 Gift cards to Tea Bar	Tea Bar	Amanda Josephson	\$5.00
4 Gift cards to Tea Bar	Tea Bar	Linda Meyr	\$10.00
4 Gift cards to Tea Bar	Tea Bar	Manette Prill	\$20.00
2 Historic House Tours	White Bear Lake Historical Society	Linda Meyr	\$30.00
White Bear History Book	White Bear Township	Linda Lish	\$25.00
2 sets of WBL Photo Notecards	White Bear Lake Historical Society	Linda Lish	\$15.00
Book: White Bear's Hometown Heros: WBL Volunteer Fire Dept.	White Bear Lake Historical Society	Tom Riedesel	\$10.00
Book: Norway to White Bear Lake	White Bear Lake Historical Society	Tom Riedesel	\$10.00
1-year Family Membership & All about WBL (Book)	White Bear Lake Historical Society	Tom Riedesel	\$15.00
2018 White Bear Township Day Autographed Poster	White Bear Township/Power of 10/Jake Nelson	Tom Riedesel	\$5.00
Gift Certificate - Free spine & neurological Evaluation	Revive Chiropractic Wellness Cenmter	Tom Riedesel	\$30.00
A family fun basket with 4 DVD movies and treats	White Bear Township Park Board	Steph Olson	\$40.00
18 Speed Bike	White Bear Township Public Safety Commission	Ron Denn	\$420.00
Overnight Stay at White Bear Country Inn	Best Western White Bear Country Inn	Ryan King	\$120.00
4 Gift cards to Tea Bar	Tea Bar	Terri Reischl	\$7.00
4 Gift cards to Tea Bar	Tea Bar	Tim Boucher	\$16.00
Cub \$50 gift card	Cub Foods White Bear Township	Kurt Johnson	\$50.00
Book: Looking Back at White Bear Lake	White Bear Lake Historical Society	Steve Reeves	\$30.00
15' X 15' Bounce House Rental	All Around Fun	Scott Lombardi	\$75.00
Swag bag (t-shirt, 2 can koozies, grocery bag)	White Bear Emergency Food Shelf	Greg Pitlick	\$10.00
Two movie Passes	Emagine Theaters - White Bear	Barb Olund	\$25.00
\$20 Rudy's Redeye Grill Gift Card	Rudy's Redeye Grill, White Bear Lake	Barb Olund	\$25.00
3'X5' White Bear Township Flag	White Bear Township Park Board	Barb Olund	\$30.00
Smash a Car	Viking Auto	Various	\$100.00
4 Boxes of Finger Lights	Steve Ruzek	Various	\$64.00
	Total		\$2,222.34 \$ 1,222.34

←
ADDED

Minnesota Statutes Section 465.03 requires the Town Board to accept any donations or grants by resolution. The Town received the above list of donations for Township Day; therefore, the Town Board needs to formally accept receipt of these donations totaling \$1,222.34.

A1. Budget Impact: The funds received will be placed into the Community Park Improvement Fund for future park improvements.

A2. Staff Workload Impact: There is no staff impact for accepting the donations.

B. ALTERNATIVE ACTIONS:

1. Accept the Township Day donations in the amount of \$1,222.34.

2. Do not accept the Township Day donations.

C. STAFF RECOMMENDATION:

1. Staff recommends alternative #1 for the acceptance of the Township Day donations.

D. SUPPORTING DATA:

Resolution accepting Township Day Donations.

Donated By	Winning Bid	Bid Amount
RES Specialty Pyrotechnics/White Bear Township	Dan Shattuck	\$50.00
Unknown	Dan Shattuck	\$15.00
Tea Bar	Amanda Josephson	\$5.00
Tea Bar	Linda Meyr	\$10.00
Tea Bar	Manette Prill	\$20.00
White Bear Lake Historical Society	Linda Meyr	\$30.00
White Bear Township	Linda Lish	\$25.00
White Bear Lake Historical Society	Linda Lish	\$15.00
White Bear Lake Historical Society	Tom Riedesel	\$10.00
White Bear Lake Historical Society	Tom Riedesel	\$10.00
White Bear Lake Historical Society	Tom Riedesel	\$15.00
White Bear Township/Power of 10/Jake Nelson	Tom Riedesel	\$5.00
Revive Chiropractic Wellness Cenmter	Tom Riedesel	\$30.00
White Bear Township Park Board	Steph Olson	\$40.00
White Bear Township Public Safety Commission	Ron Denn	\$420.00
Best Western White Bear Country Inn	Ryan King	\$120.00
Tea Bar	Terri Reischl	\$7.00
Tea Bar	Tim Boucher	\$16.00
Cub Foods White Bear Township	Kurt Johnson	\$50.00
White Bear Lake Historical Society	Steve Reeves	\$30.00
All Around Fun	Scott Lombardi	\$75.00
White Bear Emergency Food Shelf	Greg Pitlick	\$10.00
Emagine Theaters - White Bear	Barb Olund	\$25.00
Rudy's Redeye Grill, White Bear Lake	Barb Olund	\$25.00
White Bear Township Park Board	Barb Olund	\$30.00
Viking Auto	Various	\$100.00
Steve Ruzek	Various	\$34.34
Total		<u>\$1,222.34</u>

Township Day Donations

Item Donated

Launch the Fireworks

Bird House

4 Gift cards to Tea Bar

4 Gift cards to Tea Bar

4 Gift cards to Tea Bar

2 Historic House Tours

White Bear History Book

2 sets of WBL Photo Notecards

Book: White Bear's Hometown Heros: WBL Volunteer Fire Dept.

Book: Norway to White Bear Lake

1-year Family Membership & All about WBL (Book)

2018 White Bear Township Day Autographed Poster

Gift Certificate - Free spine & neurological Evaluation

A family fun basket with 4 DVD movies and treats

18 Speed Bike

Overnight Stay at White Bear Country Inn

4 Gift cards to Tea Bar

4 Gift cards to Tea Bar

Cub \$50 gift card

Book: Looking Back at White Bear Lake

15' X 15' Bounce House Rental

Swag bag (t-shirt, 2 can koozies, grocery bag)

Two movie Passes

\$20 Rudy's Redeye Grill Gift Card

3'X5' White Bear Township Flag

Smash a Car

4 Boxes of Finger Lights



**Town Board Meeting
October 1, 2018**

Agenda Number: 5C – Consent Agenda

Subject: Resolution Designating Polling Places for the 2019 Elections – In Accordance with State Statutes, Adopt Resolution Designating Polling Places for the 2019 Elections

Documentation: Ramsey County Election Letter / Resolution Designating Polling Places for the 2019 Elections

Action / Motion for Consideration:

Receive Information / Discuss

In Accordance with State Statutes, Adopt Resolution Designating Polling Places for the 2019 Elections

Ruzek – Moves

Prudhon – Seconds

EXTRACT OF MINUTES OF A MEETING OF THE TOWN
BOARD OF THE TOWN OF WHITE BEAR, MINNESOTA,
HELD ON OCTOBER 1, 2018

Pursuant to due call and notice thereof, a Regular meeting of the Town Board of the Town of White Bear, Minnesota, was duly held at Heritage Hall in said Town on October 1, 2018 at 7:00 p.m.

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

Supervisor Ruzek introduced the following Resolution and moved its adoption:

**RESOLUTION DESIGNATING POLLING PLACES FOR
THE 2019 ELECTIONS**

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of White Bear hereby designates the following polling places for any elections conducted in the Town in 2019:

Precinct I	Otter Lake Elementary 1401 County Road H-2
Precinct II	Eagle Brook Church 2401 Buffalo Street
Precinct III	South Shore Trinity Lutheran Church 2480 South Shore Boulevard

September 11, 2018

TO: Ramsey County Local Election Officials

FROM: Joseph Mansky
Ramsey County Elections Manager

SUBJECT: ANNUAL DESIGNATION OF COMBINED POLLING PLACES

Laws of Minnesota 2017, Chapter 92, requires the governing body of each municipality to designate the locations of its polling places for the following election year. It is now time for your governing board to do so for the 2019 election year.

I have enclosed a sample resolution form for your use.

Please have your city council or town board approve the resolution before November 16.

After the resolution has been adopted, please send us a copy.

Let me know if you have any questions about this.

enc



**Town Board Meeting
October 1, 2018**

Agenda Number: 5D – Consent Agenda

Subject: Side Setback Variance Request @ 4100 Bellaire Avenue –
Call Public Hearing for Monday, November 5, 2018 @ 7:00
p.m. to Consider Granting a 14.2' Side Yard Setback Variance

Documentation: Public Notice

Action / Motion for Consideration:

Receive Information / Discuss

Call Public Hearing for Monday, November 5, 2018 @ 7:00 p.m. to
Consider Granting a 14.2' Side Yard Setback Variance @ 4100 Bellaire
Avenue



**NOTICE OF HEARING REQUEST FOR A VARIANCE FROM ORDINANCE NO. 35
(ZONING) OF THE TOWN OF WHITE BEAR, RAMSEY COUNTY, MINNESOTA**

NOTICE IS HEREBY GIVEN, That the Town Board of the Town of White Bear, Ramsey County, Minnesota, will meet at Heritage Hall, 4200 Otter Lake Road, in said Town on Monday, November 5, 2018 @ 7:00 p.m., to consider a 14.2' side yard setback variance to allow a parking lot expansion on the following property lying and being in the Town of White Bear, Ramsey County, Minnesota:

Subject to Bellaire Avenue, the North 125 feet of the South 283 feet of the West 330.22 feet of Government Lot 3, in Section 24, Township 30, Range 22, Ramsey County, Minnesota

(4100 Bellaire Avenue)

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

Given under my hand this 1st day of October, 2018.

BY ORDER OF THE TOWN BOARD OF SUPERVISORS

WILLIAM F. SHORT, Clerk-Treasurer



**Town Board Meeting
October 1, 2018**

Agenda Number: **5E – Consent Agenda**

Subject: **Right-of-Way Permit** – Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve the Comcast Permit to Install an Underground Coaxial Cable Television Line to Serve the Business at 2320 Leibel Street Which Will Require Directional Boring

Documentation: Town Engineer Correspondence w/ Map

Action / Motion for Consideration:

Receive Information / Discuss

Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve the Comcast Permit to Install an Underground Coaxial Cable Television Line to Serve the Business at 2320 Leibel Street Which Will Require Directional Boring



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

September 26, 2018

Honorable Chairman and Town Board
White Bear Township, Minnesota

Re: Comcast Permit Application
2320 Leibel Street
White Bear Township, Minnesota
TKDA Project No. 16627.000

Dear Board Members:

Comcast submitted an application for a permit to install an underground coaxial cable television line to service the business at 2320 Leibel Street. Work will include directional boring under Leibel Street.

We recommend approval with the following conditions:

1. Construction must protect Leibel Street during the boring process.
2. Construction must protect the sanitary sewer and watermain services.
3. Hydrants must be protected and the service line to be installed behind the hydrant.
4. Construction must protect the storm sewer in the south ditch and the Leibel Street culvert crossing.
5. Disturbed areas shall be restored equal to or better than original condition.
6. If the relocation of these utilities becomes necessary in the future due to a public improvement, the utilities shall be relocated at no cost to the Township.
7. Call Gopher One-Call prior to any work.

Sincerely,

Jim Studenski, P.E.
Town Engineer

Enclosures

PERMIT NO. _____

CITY OF: White Bear Lake Township

**APPLICATION FOR PERMIT FOR INSTALLATION OF UTILITIES
OR FOR PLACING UNDERGROUND CONSTRUCTION**



Name of Party or Organization performing work

Address 4255 Lexington Ave N, Ste 100, Arden Hills, MN 55126

Telephone No. 651-775-1713

1 Nature of Work Place new underground coax CATV In Conduit

Type of Surface to be Disturbed

(Check type) Gravel Bituminous Concrete Boulevard

2 Location David's Hydro Vac Inc.

Street, Avenue, and House number 2320 Leibel St

(Additional information attached when necessary)

3 Size and kind of pipe, conduit or cable 1.5" HDPE

Depth from Surface (Min. 18") 36" to 48"

4 Method of Installation or Construction (including method of compaction & excavation)

PLOW

PNEUMA GOPHER & TAMPER

BACKHOE

Bore

5 Work to start within 9/25/2018 days and completed within ### 60 days days thereafter

6 Will detouring of traffic be necessary? NO If so describe rerouting

Cutting the road, would depend on locates.

COMCAST Project Number: SMB33513

Comcast

For Nathan Wanner

(Applicant) Comcast

Signed by NRW

Dated 9/21/2018

The date when work is completed must be reported to the person designed by municipality.

AUTHORIZATION OF PERMIT

Upon payment of permit fee in the amount of \$ - _____ and in consideration of the agreement to comply in all respects with the Street or Alley excavation ordinances and regulations applicable covering such operations, permission is hereby granted for the work to be done as described in the above application, said work to be done in accordance with special precautions required, as hereby stated:

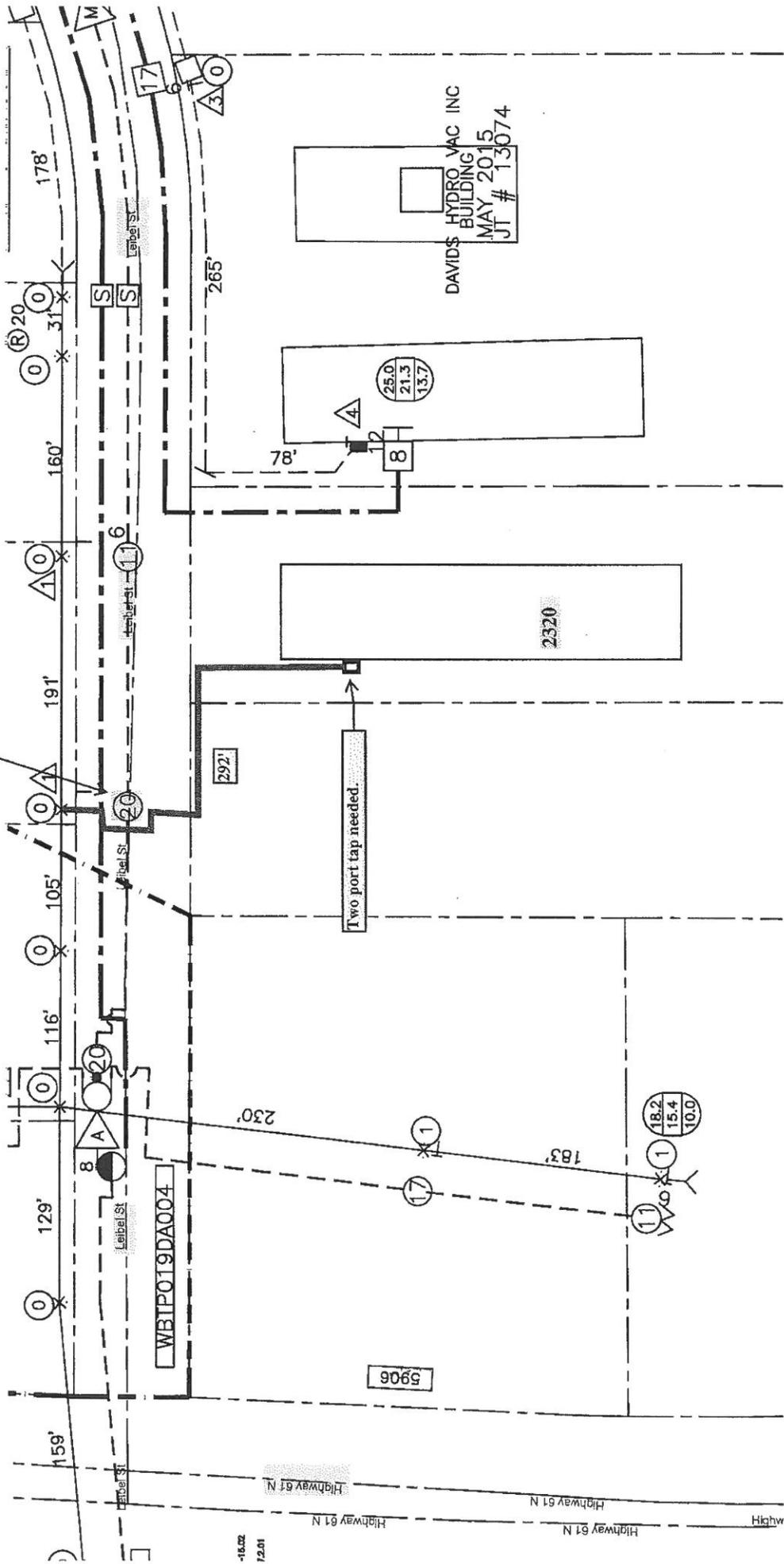
It is expressly understood that this permit is conditioned upon replacement or restoration of the disturbed area to its proper condition in accordance with the appropriate rules and regulations.

APPROVED _____

DATED _____

SM 033513
 Davids Hydro Vac Inc
 2320 Leibel St
 White Bear Lake MN

Tie in 20/2 port tap on riser pole.



↑
 NORTH



**Town Board Meeting
October 1, 2018**

Agenda Number: 5F – Consent Agenda

Subject: Right-of-Way Permit – Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve the XcelEnergy Permit to Install a New Gas Service for the Residential Development Using the Conduit Crossing Installed With the Three Oaks of White Bear Township Improvement Project Which Will Require Directional Boring

Documentation: Town Engineer Correspondence w/ Map

Action / Motion for Consideration:

Receive Information / Discuss

Right-of-Way Permit – Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve the XcelEnergy Permit to Install a New Gas Service for the Residential Development Using the Conduit Crossing Installed With the Three Oaks of White Bear Township Improvement Project Which Will Require Directional Boring



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

September 27, 2018

Honorable Chairman and Town Board
White Bear Township, Minnesota

Re: XcelEnergy Permit Application
Three Oaks of White Bear Township
White Bear Township, Minnesota
TKDA Project No. 16627.000

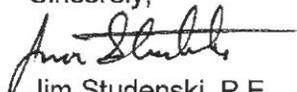
Dear Board Members:

XcelEnergy has applied for a permit to install new gas service for the residential development using the conduit crossing installed with the Three Oaks of White Bear Township improvement project. The project will require directional boring.

We recommend approval with the following conditions:

1. Contractor must protect Centerville Road during the boring activity.
2. Contractor must protect all new utilities.
3. Contractor must coordinate activities with the work underway with the project.
4. Hydrants must be protected and the service line installed behind the hydrants.
5. Centerville Road is under the jurisdiction of Ramsey County and the work may require a permit from them.
6. Disturbed areas shall be restored equal to or better than original condition.
7. If the relocation of these utilities becomes necessary in the future due to a public improvement, the utilities shall be relocated at no cost to the Township.
8. Call Gopher One-Call prior to any work.

Sincerely,


Jim Studenski, P.E.
Town Engineer

Enclosures

James E. Studenski

From: Bill Short <Bill.Short@whitebeartownship.org>
Sent: Wednesday, September 26, 2018 5:47 PM
To: James E. Studenski
Subject: FW: Three Oaks of White Bear RoW Permit
Attachments: Three Oaks Gas Layout.pdf

Hi Jim,
FYI

From: Jesse Farrell [mailto:jfarrell@whitebearlake.org]
Sent: Wednesday, September 26, 2018 4:14 PM
To: Matthew.J.Reyer@xcelenergy.com
Cc: Bill Short <Bill.Short@whitebeartownship.org>; Dale Reed <Dale.Reed@whitebeartownship.org>
Subject: RE: Three Oaks of White Bear RoW Permit

Matt – This site is in White Bear Township.



Jesse Farrell, P.E.
Assistant City Engineer
City of White Bear Lake
Office: (651) 429-8531
Direct: (651) 407-5361
Fax: (651) 429-8500
jfarrell@whitebearlake.org | www.whitebearlake.org



Follow us on Facebook & Twitter

From: Reyer, Matthew J <Matthew.J.Reyer@xcelenergy.com>
Sent: Wednesday, September 26, 2018 3:52 PM
To: Mark Burch <mburch@whitebearlake.org>
Subject: Three Oaks of White Bear RoW Permit

Hi Mark,

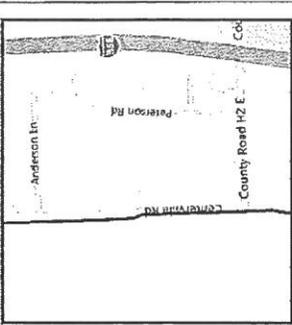
I am putting in a joint trench for gas, electric, cable, and phone. We will be installing the 2845' gas main (see attached layout). Estimated site ready date is 10/15 and hope to be done by 11/26.

The work will be done by Q3 and they can be contacted through Dave Meyer at dmeyer@prim.com

Please let me know if you have any other questions.

Thank you

Matt Reyer
Xcel Energy | Responsible By Nature
Contract Joint Trench Designer
825 Rice Street, 1st Floor, St. Paul, MN 55117



Work Order Information	
Service Request #	00000014340
Design Number	285142
Designer/Planner ID	Reyer/McNew
Designer/Planner Name	Reyer/McNew
Designer/Planner P#	(602) 300-0000
Manager Approval	
Job Utility	
E	G
T	C
Design Location	
Division	White Bear Lake
County	Ramsey
City	WHITE BEAR TWP
Address	
T: 304	R: 25W
Map #	S: 8
Permit #	00997
Electrical	
Voltage	
Phase	Exp Dev ID:
System	Pressure:
She	Material:
Dead End	
Work Order #	
Date	9/18/2018
Sheet # of #	Switch Data
Scale	1" equals 40'

XcelEnergy

CONSTRUCTION USE ONLY

NO CHANGES (BUILT AS DESIGNED)

CHANGES MADE AS INDICATED

(ALL DIMS MUST HAVE ACTUAL MEASUREMENTS FROM THE FIELD SITE)

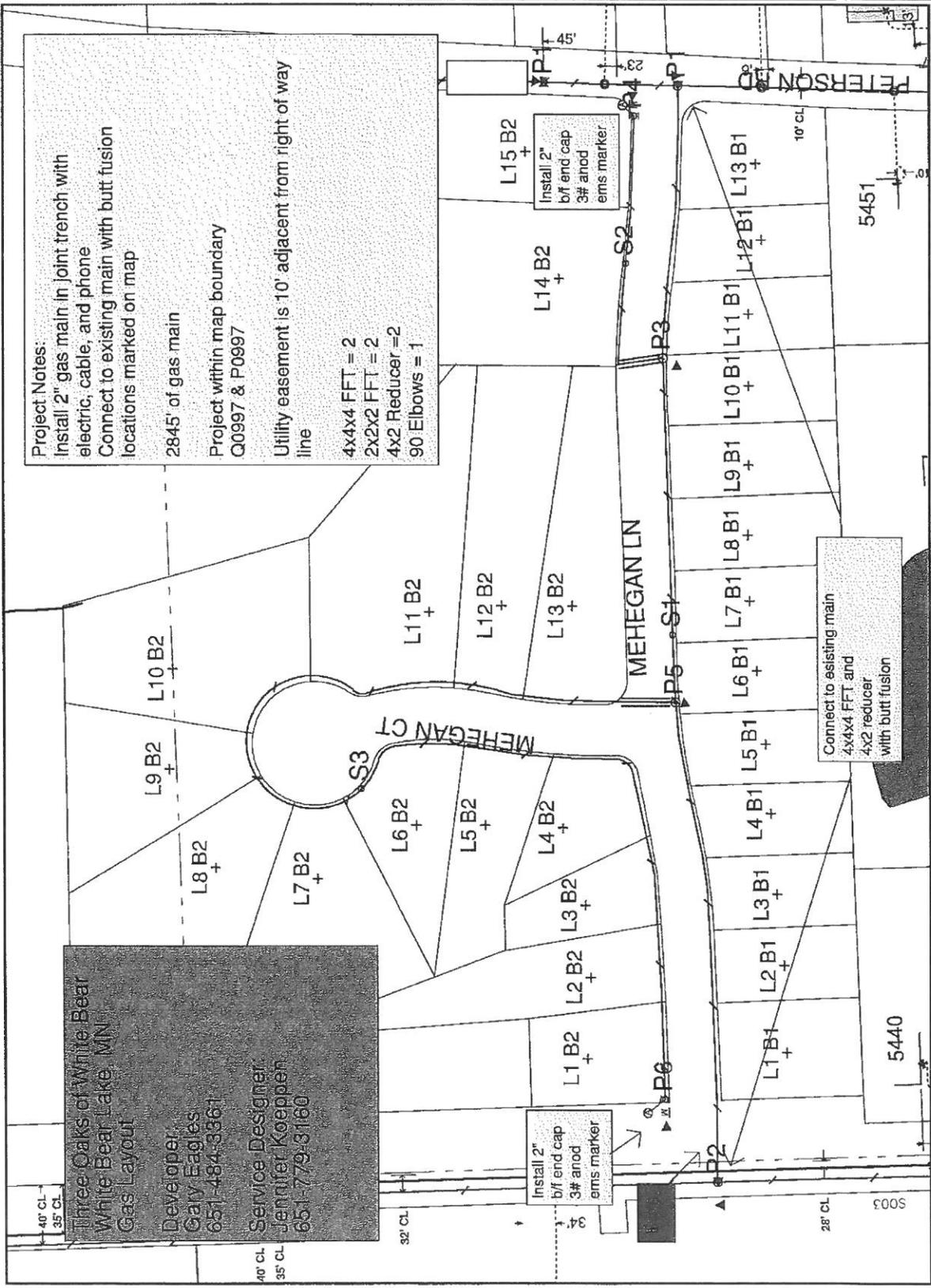
RFO _____ DATE _____

FOREMAN _____

TEAM LEADER _____

Project Notes:

- Install 2" gas main in joint trench with electric, cable, and phone
- Connect to existing main with butt fusion
- Locations marked on map
- 2845' of gas main
- Project within map boundary Q0997 & P0997
- Utility easement is 10' adjacent from right of way line
- 4x4x4 FFT = 2
- 2x2x2 FFT = 2
- 4x2 Reducer = 2
- 90 Elbows = 1



Three Oaks of White Bear
White Bear Lake, MN
Gas Layout

Developer:
Galv Eagles
651-484-3561

Service Designer:
Jennifer Koepfen
651-779-3160

THIS PLAN, THESE SPECIFICATIONS OR WORKSHEET, EXPRESS OR IMPLIED, ABOUT THE ACCURACY OF THE PRINT. THIS PRINT IS PROVIDED WITHOUT WARRANTY, BUSINESS, ACCURACY OF CONTENT OR LIABILITY. STATE LAW REQUIRES ANYONE INCISING, GRADING OR EXCAVATING TO OBTAIN A PERMITS FROM THE STATE OF MINNESOTA. THE COMPANY AND ITS AFFILIATES ASSUME NO LEGAL RESPONSIBILITY FOR THE RECEIVERS USE OF ANY OTHER PARTIES USE OF THE PRINT, INCLUDING THE RECEIVERS ATTENDANCE AT THE FIELD. NO COMPANY EMPLOYEE OR OTHER PARTY HAS BEEN AUTHORIZED TO PROVIDE THIS PRINT FOR PLANNING OR ESTIMATING PURPOSES. RELY ON THIS PRINT AT YOUR OWN RISK. BY ACCEPTING THIS PRINT, THE RECIPIENT & ANY OTHER PARTY RECEIVING A COPY OF THE PRINT ACKNOWLEDGES AND AGREES TO THIS DISCLAIMER. TPA 01/14/2018 08:01



**Town Board Meeting
October 1, 2018**

Agenda Number: 6A – Old Business - None

Subject:

Documentation:

Action / Motion for Consideration:



Town Board Meeting October 1, 2018

Agenda Number: 7A – Public Hearing

Subject: SMC, 5858 Centerville Road – Request for Amendment to Ordinance No. 35, Section 7-18 – Advertising Sign Overlay Area & Conditional Use Permit

Documentation: Staff Memo w/attachments /
Public Notice /
Zoning Ordinance & Conditional Use Permit Application Form /
Publication

Action / Motion for Consideration:

- Note Proper Publication of the Hearing Notice in Newspaper & Waive Reading of Notice
- Open Public Hearing
- Open Public Comment Portion – Ask for Comments
- Close Public Portion of Hearing & Continue the Hearing to Monday, October 15, 2018 @ 7:00 p.m. to Allow for Mailed Notice to Affected Properties Within 350 Feet

Minutes
Planning Commission Meeting
August 23, 2018

SMC/SUPREME OUTDOOR ADVERTISING – REQUEST FOR ZONING ORDINANCE AMENDMENT & CONDITIONAL USE PERMIT TO ALLOW OUTDOOR ADVERTISING SIGNS AT 5858 CENTERVILLE ROAD: Supreme Outdoor Advertising & SMC provided a sketch plan for review at the last Planning Commission meeting. They are now asking for formal approval of an amendment to the Zoning Ordinance which would allow them to place 2 two-faced outdoor advertising signs on their property at 5858 Centerville Road. Currently outdoor advertising signs are permitted only in the Outdoor Advertising Sign Overlay District. The Sign Overlay District is located along I-35E between North Birch Lake Boulevard and Hammond Road. Currently there are 3 signs located in the district. The ordinance amendment creating the Overlay Zone was adopted in 2001.

The list of the Sign Ordinance requirements related to off premise outdoor advertising signs was reviewed.

In addition to the Sign Ordinance requirements, the Zoning Ordinance also identifies the Zone in which signs are permitted. It states: **“7-18. Advertising Sign Overlay Area.** An advertising sign overlay area is created consisting of all industrially zoned lots adjacent to I-35E/694 where no suburban or urban residential or open space zone district is located directly across the freeway, and the adjacent land is generally higher than the freeway, allowing construction without the requirement of a variance for height, and readability for the lower profile monument style required by the Town’s sign ordinance, Ordinance No. 33. A map is attached which identifies the overlay area.”

The ordinance amendment allowing outdoor advertising signs was adopted in part so signs would not be placed across the freeway from residential zoning districts. Since the adoption of the Sign Overlay District, noise walls have been added along the freeway abutting residential homes.

After discussion it was the consensus that the following Zoning Ordinance amendment be recommended: **“7-18. Advertising Sign Overlay Area:** An advertising sign overlay area is created consisting of all industrially zoned lots adjacent to I-35/694 where no suburban residential or open space zoning district is located directed across the freeway, and the adjacent land is generally higher than the freeway, allow construction without the requirement of a variance for height, and readability for the lower profile monument style required by the Town’s sign ordinance, Ordinance No. 33. A map is attached which identifies the overlay area including the expanded area.”

The amendment as proposed eliminates “urban” residential. With the amendment a sign(s) may be placed across the freeway from an urban residential zone.

Based on the locations proposed for the SMC signs and spacing limitations defined by the Sign Ordinance, one additional sign may be allowed on the North Oaks Company property south of the proposed site since there is approximately 950’ between the proposed sign and the residentially zoned property to the south.

An outdoor advertising sign is a Conditional Use in the I-1 Zoning District. These signs are only permitted in the I-1 district. The SMC property is zoned I-1 Light Industrial. A Conditional Use Permit may be approved by the Town which also may attach reasonable conditionals to the permit. The standards which must be considered before approval were reviewed.

The Township currently leases two sites in Polar Larks Park. A lease was approved by the Town for use of Town property which included several requirements. Staff recommends that, if the Conditional Use Permit is approved by the Town, the following requirements be incorporated into the MSC/Supreme Outdoor Advertising Conditional Use Permit. They include:

1. The outdoor advertising sign and structure shall not contain any of the following advertising content:
 - Any political candidate or political party, any political action committee, or any organization attempting to endorse any political candidate, political party or political cause;
 - Any tobacco products or the use thereof, including, but not limited to cigarettes, chewing tobacco, cigars, and any advertisement that tends to promote the use or consumption of tobacco products;
 - Any alcoholic beverages or the use thereof, including but not limited to beer, wine, hard alcohol, and any advertisement that tends to promote the use or consumption of alcohol;

- Any form of adult entertainment, including but not limited to adult bookstores, strip clubs and any advertisement that tends to promote establishments that permit the sale or display of sexually explicit materials.
2. The structure design shall be consistent with the rendering provide in the meeting packet.
 3. The following items must be submitted and approved by Town staff prior to issuance of a building permit:
 - Grading Plan
 - Drainage and Utility Detail Plan
 - Landscape Plan
 - Detained Site, Building, Architectural and Access Plan
 - Electrical Plan.
 4. A plan for tree removal must be submitted, and the trees to be removed shall be inspected and approval by Town staff prior to removal. No additional tree removal shall be performed unless approved by the Town Board.
 5. No wetland filing shall be permitted.
 6. All applicable permits and approvals shall be received from the affected agencies and provided to Town staff.
 7. All State, Federal and local laws and applicable ordinances shall be complied with.
 8. Lessees shall maintain the property and outdoor advertising structure in a proper operating, safety and secure condition. All costs associated with the maintenance and repair of the outdoor advertising structure, including painting shall be paid by Lessee. Lessee shall maintain at its own expense, any equipment on or attached to the outdoor advertising structure in a safe condition, in good repair to the satisfaction of SMC and so as not to conflict with the use or lease of the property and surrounding areas. Lessee shall have sole responsibility for the maintenance, repair and security of its equipment, personal property, outdoor advertising structure and leasehold, improvements and shall keep the same in good repair and condition to the satisfaction of the SMC during the lease term. Lessee shall keep the property free of debris any anything of a dangerous, noxious or offensive nature which could create a fire or other hazard, undue vibration, heat or noise, interference, etc.

It was the consensus to add the following two requirements:

9. Review the Conditional Use Permit in five years.
10. No static signs.

Comments included:

- Will there be adjustment for light brilliance? (The lighting will be directly on the sign itself.)
- How will this sign impact the industrial area? (The sign is 25' from the north line and 10' from the east. The sign placement meets MnDOT and Township regulations.)
- The sign base is similar to the billboard signs at Polar Lakes Park – that is good.

It was noted that the applicants have appeared before the Planning Commission previously and questions were addressed.

Artner moved to recommend to the Town Board to approve an amendment to Zoning Ordinance (No. 33.), Section 7-18. Advertising Sign Overlay Area as follows: An advertising sign overlay area is created consisting of all industrially zoned lots adjacent to I-35/694 where no suburban residential or open space zoning district is located directed across the freeway, and the adjacent land is generally higher than the freeway, allow construction without the requirement of a variance for height, and readability for the lower profile monument style required by the Town's sign ordinance, Ordinance No. 33. A map is attached which identifies the overlay area including the expanded area." Flann seconded. Ayes: Artner, Flann, Denn, Loes, Kotilinek, Patrick. Nay: Swisher.

Artner moved to recommend to the Town Board that the zoning map be adjusted to be consistent with the proposed Zoning Ordinance amendment. Flann seconded. Ayes: Artner, Flann, Denn, Loes, Kotilinek, Patrick. Nay: Swisher.

Swisher moved to recommend to the Town Board to approve a Conditional Use Permit to allow outdoor advertising signs at 5858 Centerville Road with the addition of Requirement #9) CUP reviewed in five years; and #10) No static signs. Artner seconded. Ayes all.

Minutes
Planning Commission Meeting
May 24, 2018

SPECIALTY MANUFACTURING COMPANY/SUPREME OUTDOOR ADVERTISING, 5858 CENTERVILLE ROAD – SKETCH PLAN REVIEW FOR ZONING ORDINANCE AND SIGN ORDINANCE AMENDMENTS TO PERMIT OUTDOOR ADVERTISING SIGNS:

Supreme Outdoor Advertising & SMC are asking the Town to consider amending the Sign and Zoning ordinances which would allow them to place 2 outdoor advertising signs (billboards) on their property at 5858 Centerville Road. Two 2-faced signs are being considered. Currently outdoor advertising signs are permitted only in the Outdoor Advertising Sign Overlay District. The Sign Overlay District is located along I-35E between North Birch Lake Boulevard and Hammond Road. Currently there are 3 signs located in the district. The ordinance amendment creating the Overlay Zone was adopted in 2001. The ordinance amendment allowing outdoor advertising signs was adopted in part so signs would not be placed across the freeway from residential zoning districts. Since the adoption of the Sign Overlay District, noise walls have been added along the freeway abutting residential homes. The off premise advertising signs shall have a maximum height of 40' measured from the grade at the base of the sign or the elevation of the adjacent travel lane of I-35E, whichever is greater. Off premise advertising signs shall be located no closer than 800 feet measured along the freeway, from any other off premises advertising sign. No off premise advertising sign shall have more than two faces, and each sign must be intended to read from an opposite direction. The area of the basic sign face shall not be more than 672 square feet, but may, in addition to the basic sign face, contain extensions, cutouts or top lettering provided such extensions do not exceed 20% of the area of the basic sign face and are an integral part of the design of the message of the basic sign face.

The Planner stated that the review is a concept review. The applicant is interested if their request for amendment of the Sign and Zoning ordinances is acceptable as presented. It was noted that no LED lighting is proposed and that design and message would be something that is consistent. The Planner will come back with wording for ordinances amendment.

It was the consensus of the Planning Commission that they are open to the sketch plan for Zoning Ordinance and Sign Ordinances amendments to permit outdoor advertising signs at the SMC property.

MEMORANDUM

TO: PLANNING COMMISSION
FROM: TOM RIEDESEL
DATE: MAY 16, 2018 UPDATED AUGUST 14, 2018

SUBJECT: OUTDOOR ADVERTISING SIGN

REQUEST: SIGN ORDINANCE & ZONING ORDINANCE AMENDMENT & CONDITIONAL USE PERMIT

LOCATION: 5858 CENTERVILLE ROAD
APPLICANTS: SPECIALTY MFG. CORP & SUPREME OUTDOOR ADVERTISING
ZONING: I-1

Supreme Outdoor Advertising & SMC are asking the Town to consider amending the Sign and Zoning ordinances which would allow them to place 2 outdoor advertising signs (billboards) on their property at 5858 Centerville Road. Two two faced signs are being considered.

Currently outdoor advertising signs are permitted only in the Outdoor Advertising Sign Overlay District. The Sign Overlay District is located along I-35E between North Birch Lake Boulevard and Hammond Road. Currently there are 3 signs located in the district. The ordinance amendment creating the Overlay Zone was adopted in 2001.

The following lists the Sign Ordinance requirements related to outdoor advertising signs:

2-2.8. SIGN, OFF PREMISE – (Advertising Sign). A sign which directs attention to a business, profession, commodity, service or entertainment which is conducted, offered, sold or manufactured elsewhere than on the premises upon which the sign is placed.

3-16. Off-Premise Advertising Signs. Off premise advertising signs are permitted upon approval of a Conditional Use Permit (CUP) in the I-1 Zoning District, subject to the conditions set forth by Ordinance No. 35, Section 9-4, and the following requirements:

3-16.1. Location. Off premise advertising signs are permitted only on lots defined by Section 7-18 of Ordinance No. 35, the Advertising Sign Overlay Area.

3-16.2. Height. Off premise advertising signs shall have a maximum height of 40' measured from the grade at the base of the sign or the elevation of the adjacent travel lane of I-35E, whichever is greater.

3-16.3. Spacing. Off premise advertising signs shall be located no closer than 800 feet measured along the freeway, from any other off premises advertising sign.

3-16.4. Size. No off premise advertising sign shall have more than two faces, and each sign face must be intended to read from an opposite direction. The area of the basic sign face shall not be more than 672 square feet, but, may, in addition to the basic sign face, contain extensions, cutouts or top lettering provided such extensions do not exceed 20% of the area of the basic sign face and are an integral part of the design of the message of the basic sign face.

3-16.5. Design. The design of the off premises advertising sign must provide a balance between the sign structure and the sign face, and express the message of quality, permanence and elegance.

3-16.6. Structure Design. The design of the off premise advertising sign structure must be innovative and custom, and capture the opportunity to install elements that provide order, rhythm, verticality, illumination and image to the roadside experience. The design features of the structure shall be readable at a freeway scale and speed, provide a balance between the sign structure and the sign face, and express the message of quality, permanence and elegance.

In addition to the Sign Ordinance requirements, the Zoning Ordinance also identifies the Zone in which signs are permitted. It states:

7-18. Advertising Sign Overlay Area. An advertising sign overlay area is created consisting of all industrially zoned lots adjacent to I-35/694 where no suburban or urban residential or open space zoning district is located directly across the freeway, and the adjacent land is generally higher than the freeway, allowing construction without the requirement of a variance for height, and readability for the lower profile monument style required by the Town's sign ordinance, Ordinance No. 33. A map is attached which identifies the overlay area.

This section of the Zoning Ordinance must be amended to permit the new signs requested by SMC/Supreme Outdoor Advertising.

The ordinance amendment allowing outdoor advertising signs was adopted in part so signs would not be placed across the freeway from residential zoning districts.

Since adoption of the Sign Overlay District, noise walls have been added along the freeway abutting residential homes.

In order to approve the requests of the applicants, the following Zoning Ordinance amendment may be considered:

7-18. Advertising Sign Overlay Area. An advertising sign overlay area is created consisting of all industrially zoned lots adjacent to I-35/694 where no suburban or urban residential or open space zoning district is located directly across the freeway, and the adjacent land is generally higher than the freeway, allowing construction without the requirement of a variance for height, and readability for the lower profile monument style required by the Town's sign ordinance, Ordinance No. 33. A map is attached which identifies the overlay area (including the expanded area).

Based on the locations proposed for the SMC signs and spacing limitations defined by the Sign Ordinance, one additional sign may be allowed on the North Oaks Company property south of the proposed site since there is approximately 950' between the proposed sign and the residentially zoned property to the south.

An outdoor advertising sign is a Conditional Use in the I-1 Zoning District. These signs are only permitted in the I-1 district. The SMC property is zoned I-1, Light Industrial.

A Conditional use Permit may be approved by the Town which also may attach reasonable conditions to the permit. When reviewing a Conditional Use Permit, the following standards must be considered prior to approval. They state:

9-4.4(a). The proposed use shall be planned, designed, constructed and maintained to avoid:

- (1). Unnecessary detraction from the appearance of adjacent properties or from the Town as a whole.
- (2). Aesthetic incompatibility.
- (3). Aural Incompatibility.
- (4). Damage to vegetation.
- (5). Traffic pattern incompatibility.
- (6). Erosion of soil.
- (7). Unnecessary loss of existing natural features (vegetation, steep slopes, wetlands, water bodies).
- (8). Increased flood potential.

9-4.4(b). The proposed use shall meet all reasonable requirements, as set forth by the Town Board, in order to protect the health, safety and welfare of the Town.

9-4.4(c). Fire prevention and fighting equipment acceptable to the Board of Fire Underwriters and Town Board shall be readily available when any activity involving the handling or storage of flammable or explosive materials is carried on.

- 9-4.4(d).** The proposed use shall bear the cost of all additional water availability (W.A.C.) charges, pursuant to Ordinance No. 12 (Regulating Use of Water), and sewer availability (S.A.C.) charges, pursuant to Ordinance No. 36 (Sewer Service Availability and Charges), where the proposed use expands upon a pre-existing use.
- 9-4.4(e).** The proposed use shall not result in the destruction, loss or damage of a natural, scenic, environmental or historic feature of the Town.
- 9-4.4(f).** The proposed use shall not depreciate the value of adjacent properties.
- 9-4.4(g).** The proposed use shall be sited, oriented, designed, landscaped and maintained to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.
- 9-4.4(h).** The proposed use shall organize vehicular access and parking to minimize traffic congestion to adjacent properties.
- 9-4.4(i).** The proposed use shall preserve and incorporate the site's natural and scenic features into the development design.
- 9-4.4(j).** The proposed use shall have no negative impact of noise, glare or odor effects on adjacent properties.
- 9-4.4(k).** The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the policy and plan recommendations of the Comprehensive Plan.

The Township currently leases two sites in Polar Lakes Park to an outdoor advertising company. A lease was approved by the Town for use of Town property which included several requirements. It is staff's recommendation that, if the Conditional Use Permit is approved by the Town, the following requirements be incorporated into the SMC/Supreme Outdoor Advertising Conditional Use Permit. They include:

1. The outdoor advertising sign and structure shall not contain any of the following advertising content:
 - Any political candidate or political party, any political action committee, or any organization attempting to endorse any political candidate, political party or political cause

- Any tobacco products or the use thereof, including, but not limited to cigarettes, chewing tobacco, cigars, and any advertisement that tends to promote the use or consumption of tobacco products
 - Any alcoholic beverages or the use thereof, including but not limited to beer, wine, hard alcohol, and any advertisement that tends to promote the use or consumption of alcohol
 - Any form of adult entertainment, including but not limited to adult bookstores, strip clubs and any advertisement that tends to promote establishments that permit the sale or display of sexually explicit materials
2. The structure design shall be consistent with the attached rendering.
 3. The following items must be submitted and approved by Town staff prior to issuance of a building permit:
 - Grading Plan
 - Drainage and Utility Detail Plan
 - Landscape Plan
 - Detailed Site, Building, Architectural and Access Plan
 - Electrical Plan
 4. A plan for tree removal must be submitted, and the trees to be removed shall be inspected and approved by Town staff prior to removal. No additional tree removal shall be performed unless approved by the Town Board.
 5. No wetland filling shall be permitted.
 6. All applicable permits and approvals shall be received from the affected agencies and provided to Town staff.
 7. All State, Federal and local laws and applicable ordinances shall be complied with.
 8. Lessee shall maintain the Property and outdoor advertising structure in a proper operating, safety and secure condition. All costs associated with the maintenance and repair of the outdoor advertising structure, including painting shall be paid by Lessee. Lessee shall maintain at its own expense, any equipment on or attached to the outdoor advertising structure in a safe condition, in good repair to the satisfaction of SMC and so as not to conflict with the use or lease of the Property and surrounding areas. Lessee shall have sole responsibility for the maintenance, repair and security of its equipment, personal property, outdoor advertising structure and leasehold improvements and shall keep the same in good repair and condition to the satisfaction of the SMC during the Lease term. Lessee shall keep the Property free of debris and anything of a dangerous, noxious or offensive

nature which could create a fire or other hazard, undue vibration, heat or noise, interference, etc.

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

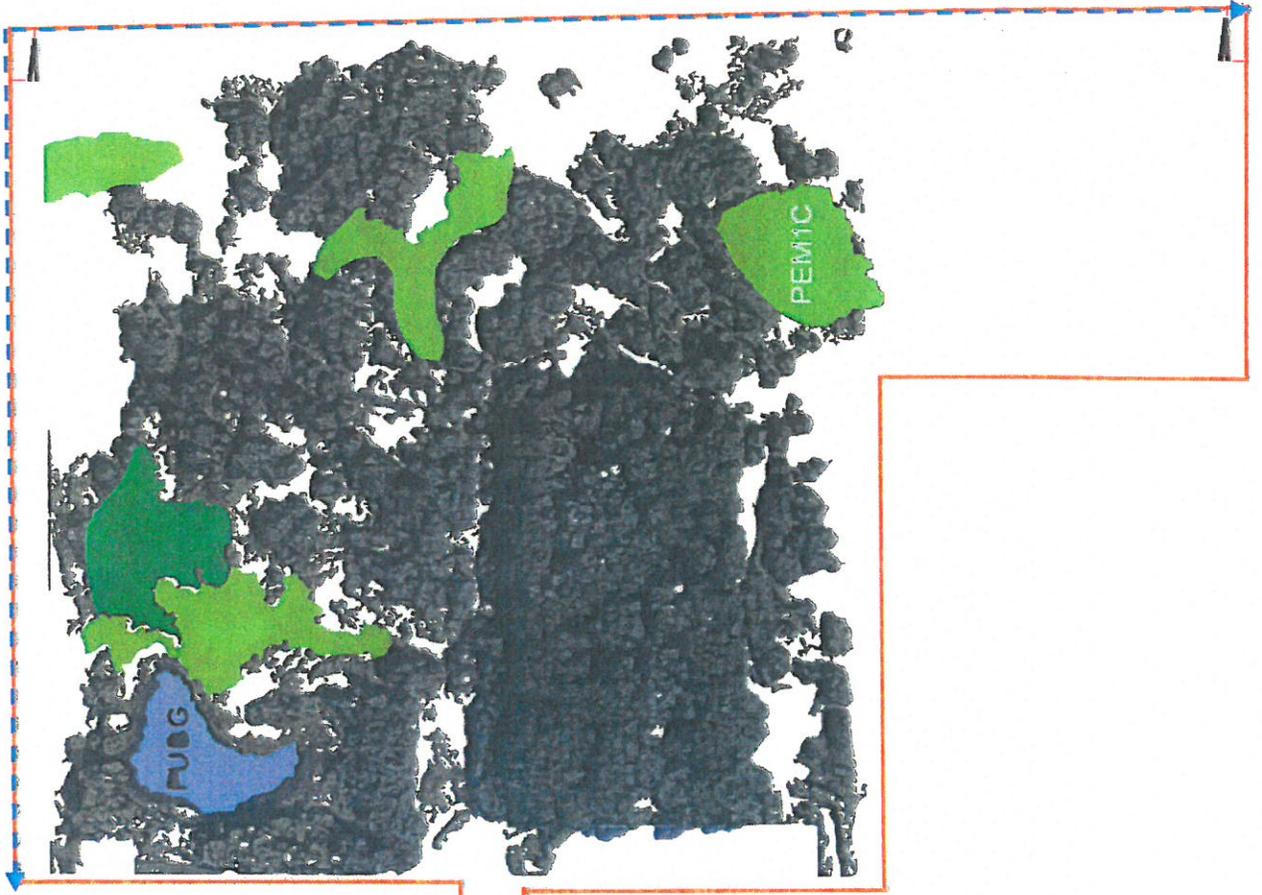
WHITE BEAR TOWNSHIP DAY

**POLAR LAKES PARK
SEPTEMBER 8TH, 2018**



SITE PLAN

Specialty MFG
5858 Centerville Rd



I35E

— : 10' Front, 25' Side Setback



: Wetland



: Site Improvement (driveway)



: Trees 6"+

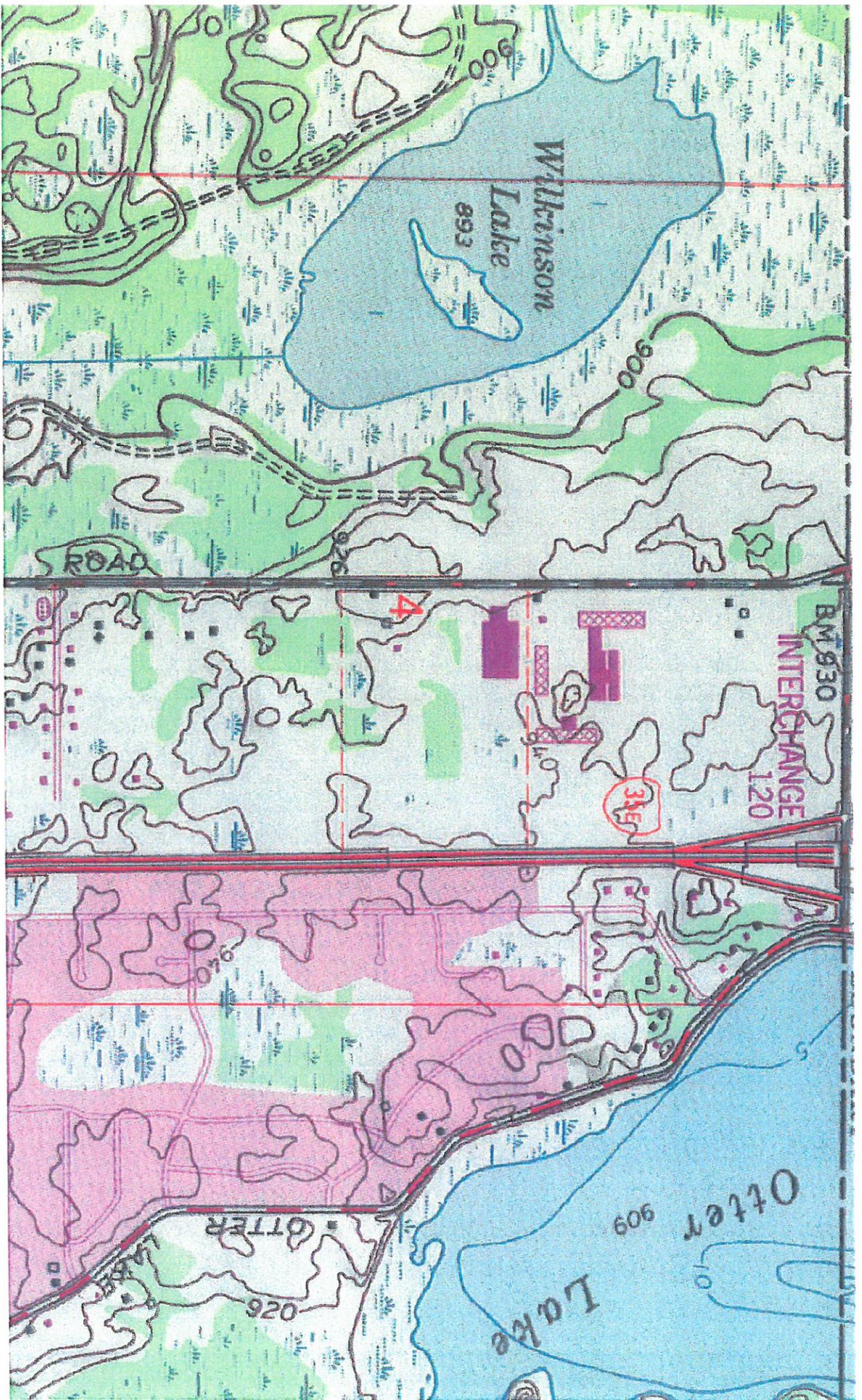


: Fence



: Sign





Wilkinson
Lake

893

900

ROAD

BM 930

INTERCHANGE
120

4

345

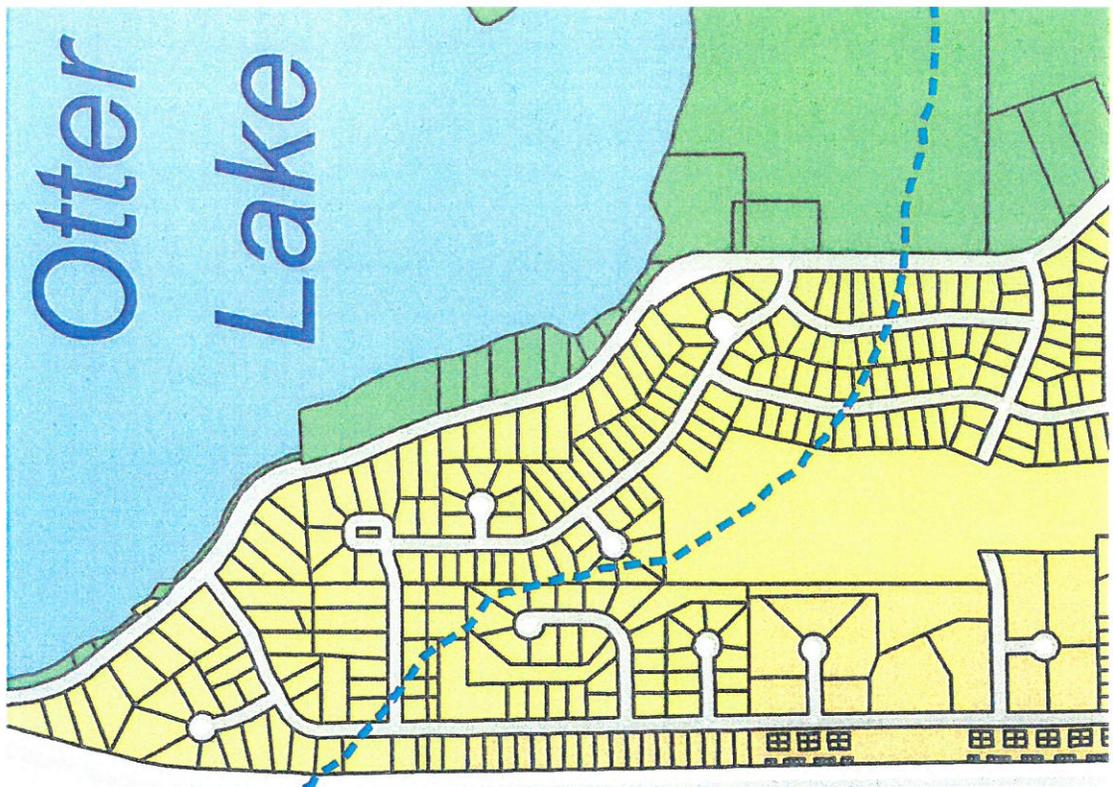
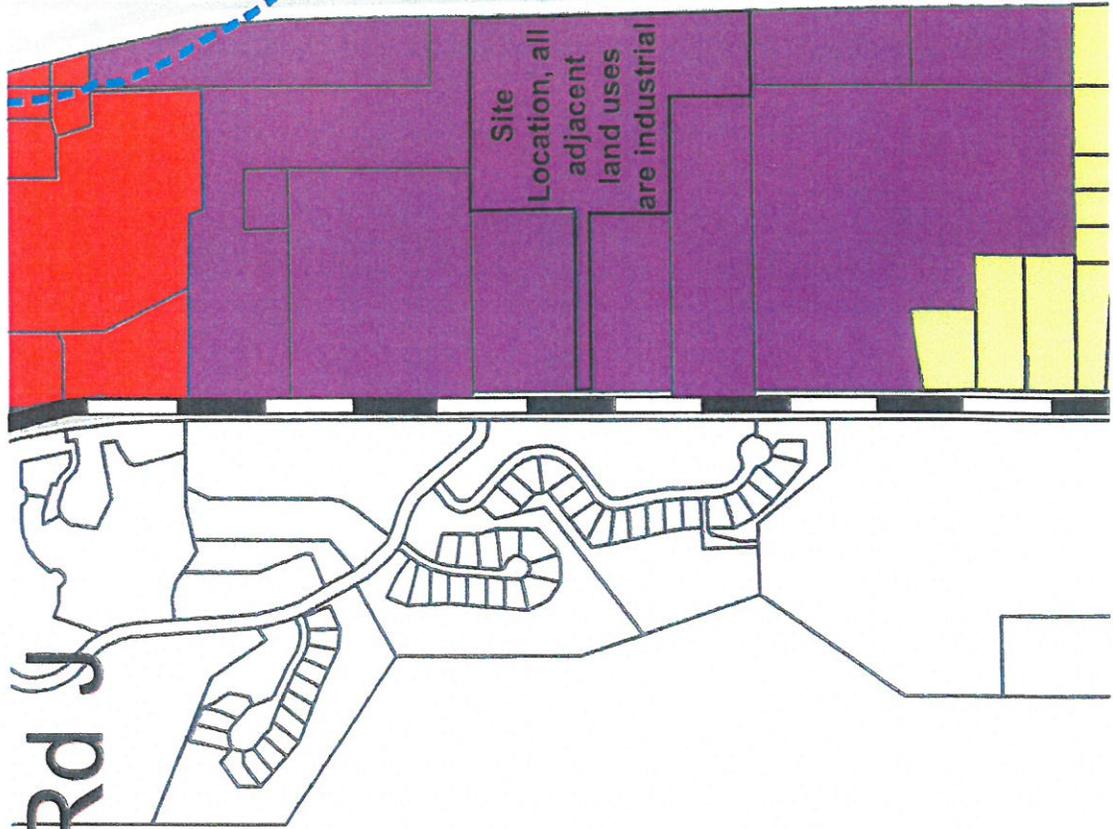
Otter
Lake

909

026

OTTER

County Rd 9



SUPREME OUTDOOR ADVERTISING, INC.

LAND LEASE FOR SIGN STRUCTURE

This lease made this 1 day of JUNE, 2018, by and between SUPREME OUTDOOR ADVERTISING, INC., 18631 Knollwood Circle, Lakeville, MN 55044, hereafter referred to as Lessee, and Owner, hereafter referred to as Lessor. The Lessor exclusively leases to Lessee, for the purpose of constructing and maintaining advertising signs, the following described real estate located at: 5858 Centerville Rd, in the Township/City of White Bear Township, in the County of Ramsey, in the State of Minnesota and any additional description, (if necessary attached as Exhibit A) is for 2 billboard sign structures (map attached)

I, _____, Lessor and _____, my family, do hereby certify that _____ is the owner of the above described property.

Lessor to receive annual payments of see above. At the end of its initial term this lease shall renew itself, year to year, at the same terms and conditions unless either party notifies the other of any changes 90 days prior to the beginning of the last year of this lease or subsequent years.

- 1. Lessor grants permission to Lessee the right to obtain necessary permits for the construction and maintenance of sign structure(s) and Lessor also grants permission to Lessee the right to engage in activities that are reasonable to the nature of owning and maintaining outdoor advertising sign structure(s).
2. Lessor agrees not to allow the sign(s) to be obstructed to the road traffic for which the sign face(s) are intended to be viewed.
4. The sign structure(s) will remain the property of the Lessee

This agreement shall extend to and be binding upon the parties hereto and their legal representatives, heirs, successors and assigns.

OWNER/AGENT OF ABOVE DESCRIBED PROPERTY:
DATE: 4/1/2018
NAME: [Signature]
TITLE: VP/CFO
PHONE: 651-653-0599

LESSEE: SUPREME OUTDOOR ADVERTISING, INC.
DATE: 6/1/2018
NAME: Daniel E. [Signature]
TITLE: General Manager

NOTARIZATION: (if necessary) STATE OF MINNESOTA)
COUNTY OF _____)s.s.
The foregoing instrument was acknowledged before me this ___ day of ___, 20__
by _____

Notary Public

**SCHEDULE FOR CONSTRUCTION OF BILLBOARD
SUPREME OUTDOOR
SPECIALTY MANUFACTURING**

Supreme Outdoor intends to construct 2 billboards on Specialty Manufacturing property 30 days after issuance of Conditional Use Permit.



ZONING ORDINANCE AMENDMENT APPLICATION FORM

INTRODUCTION

An amendment to the Zoning Ordinance (Rezoning), may be granted or denied by the Town Board after recommendation by the Planning Commission, in accordance with Ordinance No. 35 (Zoning), Section 9-9, Amendments (Rezoning) Procedure.

APPLICANT(S) Specialty Mfg Co PHONE (Home) _____
Supreme Outdoor (Business) _____
(Cell) _____

ADDRESS 5858 Centerville Rd
St. Paul MN 55127

PROPERTY OWNER Specialty Mfg Co

ADDRESS OF SITE 5858 Centerville Rd ZONING _____

EXISTING USE OF SITE Commercial Vacant Land

PROPOSED ZONING ORDINANCE AMENDMENT To allow off-premise advertising signs to be located across the highway from a residential district which is shielded by MNDOT noise and sight barrier wall.

REASON FOR REQUEST _____

200

Initial Fee (\$110.00 plus \$200.00 Expense Deposit)

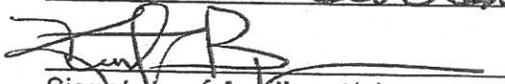
REVIEW PROCESS:

1. Submit 15 copies of application and all supporting information to Town Planner (minimum of 3 weeks prior to Planning Commission Meeting).
2. Planning Commission _____ (4th Thursday of the month @ 7:00 p.m. at the Town Hall).

- 3. Town Board _____ (1st Monday of the following month @ 7:00 p.m. at Town Hall)
(Call Public Hearing)
- 4. Town Board _____ Public Hearing
- 5. Town Board _____
(Action subject to Public Hearing Schedule)

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

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

Daniel Eisichens

 Signature of Applicant(s)

5/15/18
 Date

<u>To Be Completed By Office:</u>	
Date Request Received _____	
By _____ (Staff Member)	\$110.00 Fee + \$200 Deposit Received <input type="checkbox"/> Yes <input type="checkbox"/> No
Date Application Complete _____	

3-16. Off-Premise Advertising Signs. Off premise advertising signs are permitted upon approval of a Conditional Use Permit (CUP) in the I-1 Zoning District, subject to the conditions set forth by Ordinance No. 35, Section 9-4, and the following requirements: 3-16.1.

Location. Off premise advertising signs are permitted only on lots defined by Section 7-18 of Ordinance No. 35, the Advertising Sign Overlay Area. 3-16.2.

Height. Off premise advertising signs shall have a maximum height of 40' measured from the grade at the base of the sign or the elevation of the adjacent travel lane of I-35E, whichever is greater. 3-16.3.

Spacing. Off premise advertising signs shall be located no closer than 800 feet measured along the freeway, from any other off premises advertising sign. 3-16.4.

Size. No off premise advertising sign shall have more than two faces, and each sign face must be intended to read from an opposite direction. The area of the basic sign face shall not be more than 672 square feet, but, may, in addition to the basic sign face, contain extensions, cutouts or top lettering provided such extensions do not exceed 20% of the area of the basic sign face and are an integral part of the design of the message of the basic sign face. 3-16.5.

Design. The design of the off premises advertising sign must provide a balance between the sign structure and the sign face, and express the message of quality, permanence and elegance. 3-16.6.

Structure Design. The design of the off premise advertising sign structure must be innovative and custom, and capture the opportunity to install elements that provide order, rhythm, verticality, illumination and image to the roadside experience. The design features of the structure shall be readable at a freeway scale and 14 speed, provide a balance between the sign structure and the sign face, and express the message of quality, permanence and elegance.

7-18. ADVERTISING SIGN OVERLAY AREA. An advertising sign overlay area is created consisting of all industrially zoned lots adjacent to I-35/694 where no ~~suburban or urban residential~~ or open space zoning district is located directly across the freeway, and the adjacent land is generally higher than the freeway, allowing construction without the requirement of a variance for height, and readability for the lower profile monument style required by the Town's sign ordinance, Ordinance No. 33. A map is attached which identifies the overlay area.



CONDITIONAL USE PERMIT APPLICATION FORM

INTRODUCTION

A Conditional Use Permit may be granted or denied by the Town Board after recommendation by the Planning Commission in accordance with Ordinance No. 35 (Zoning), Section 9-4, Conditional Use Permit Procedure.

APPLICANT(S) Supreme Outdoor PHONE (Home) _____
(Business) 612-386-4183
(Cell) _____

ADDRESS 18631 Knollwood Cir
Lakeville, MN 55044

PROPERTY OWNER Specialty MFG

ADDRESS OF SITE 5858 Centerville Rd ZONING 1-1

EXISTING USE OF SITE Industrial use

DESCRIPTION OF CONDITIONAL USE BEING REQUESTED
To build off-premise advertising signs

40 Fee (\$75.00 plus \$200.00 Expense Deposit)

CHECKLIST:

- | | |
|---|--|
| <input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> | Site Plan
Building locations (dwelling, garage, accessory building).
Site improvements (parking areas, drives, sidewalks, fences, decks, lighting, etc.).
Yard (front, side, rear setbacks).
Wetlands (delineation of streams, water bodies, wetlands & 100 year storm elevation).
Existing trees (6 inch in diameter or more), large shrubs & proposed landscaping.
Location of site, with adjacent land use.
Topography, grading. |
|---|--|

- ~~_____~~ X Schedule (when applicant intends to construct)
- ~~_____~~ X Additional information, if required.
- ~~_____~~ X Permits or written comments from other agencies (DNR, RCWD, VLAWMO, Ramsey County, MNDot, US Army Corps of Engineers. Certificate of Survey, or full legal description)
- ~~_____~~ X Building plans (size, intended use of structures, exterior finishes, floor plans and elevations).

REVIEW PROCESS:

1. Submit 15 copies of application and all supporting information to Town Planner (minimum of 3 weeks prior to Planning Commission Meeting).
2. Planning Commission _____ (4th Thursday of the month @ 7:00 p.m. at the Town Hall).
3. Town Board _____ (1st Monday of the following month @ 7:00 p.m. at the Town Hall)
(Call Public Hearing)
4. Town Board _____ Public Hearing
5. Town Board _____
(Action subject to Public Hearing Schedule)

STANDARDS:

The Town Board will approve a Conditional Use Permit only if the following facts are established:

- _____ 1. There will be no detracton from the appearance of adjacent properties, or Town as a whole.
- _____ 2. There will not be aesthetic incompatibility.
- _____ 3. There will not be aural incompatibility (noise).
- _____ 4. There will not be damage to vegetation.
- _____ 5. Traffic patterns will not be negatively affected.
- _____ 6. There is no unnecessary loss of existing natural features.
- _____ 7. Will not cause soil erosion.
- _____ 8. Will not increase flood potential.
- _____ 9. The proposal is consistent with Comprehensive Plan and complies with other Ordinances.

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

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

Daniel J. Eisebom
Signature of Applicant(s)

7-31-18
Date

<u>To Be Completed By Office:</u>	
Date Request Received _____	
By _____ (Staff Member)	\$75.00 Fee + \$200 Deposit Received <input type="checkbox"/> Yes <input type="checkbox"/> No
Date Application Complete _____	



Public Notice

Notice is Hereby Given, That the Town Board of Supervisors of the Town of White Bear, Minnesota, will meet at Heritage Hall, 4200 Otter Lake Road, in said Town on Monday, October 1, 2018 at 7:00 p.m. to consider the following requests:

Amendment to Ordinance No. 35, Section 7-18 – Advertising Sign Overlay Area
Conditional Use Permit to Allow Outdoor Advertising Signs

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

Lot 1, Block 2, Specialty Manufacturing Addition

(5858 Centerville Road)

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

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

BY ORDER OF THE TOWN BOARD OF SUPERVISORS

WILLIAM F. SHORT, Clerk-Treasurer

BY THE COURT
Pam Saastamoinen
Deputy Court Administrator
Attorney for Petitioner
Richard L. Baum
Hawke Law Group
2345 Rice Street Suite 165
St. Paul, MN, 55113
Attorney License No: 0237140
Telephone: (651) 789-1679
Email: rbaum@hawkelawgroup.com
Published Two times in the White Bear Press on September 19 and 26,
2018.



WHITE BEAR TOWNSHIP

NOTICE OF HEARING TO VACATE EXCESS RIGHT-OF-WAY IN THE TOWN OF WHITE BEAR, RAMSEY COUNTY, MINNESOTA

Notice is Hereby Given, That the Town Board of Supervisors of the Town of White Bear, Ramsey County, Minnesota, will meet at Heritage Hall, 4200 Otter Lake Road, in said Town on Monday, October 15, 2018 @ 7:00 p.m., to consider a petition of a majority of the owners of affected property to vacate excess right-of-way in the Town of White Bear, which affects the following property:

5329 West Bald Eagle Boulevard
and to hear and pass upon objections and recommendations, if any, and to conduct any and all business incident thereto, pursuant to Minnesota Statutes, Section 368.01, Subd. 25.

Given under my hand this 6th day of August, 2018.
BY ORDER OF THE TOWN BOARD OF SUPERVISORS
WILLIAM F. SHORT, Clerk-Treasurer
Published two times in the White Bear Press on September 19 and 26,
2018.



WHITE BEAR TOWNSHIP PUBLIC NOTICE

Notice is Hereby Given, That the Town Board of Supervisors of the Town of White Bear, Minnesota, will meet at Heritage Hall, 4200 Otter Lake Road, in said Town on Monday, October 1, 2018 at 7:00 p.m. to consider the following requests:

Amendment to Ordinance No. 35, Section 7-18 – Advertising Sign Overlay Area
Conditional Use Permit to Allow Outdoor Advertising Signs pertaining to the following described property lying and being in the Town of White Bear, Ramsey County, Minnesota:
Lot 1, Block 2, Specialty Manufacturing Addition
(5858 Centerville Road)

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

Given under my hand this 5th day of September, 2018.
BY ORDER OF THE TOWN BOARD OF SUPERVISORS
WILLIAM F. SHORT, Clerk-Treasurer
Published one time in the White Bear Press on September 19, 2018.



WHITE BEAR TOWNSHIP

AN ORDINANCE AMENDING ORDINANCE NO. 35 OF THE TOWN OF WHITE BEAR, RAMSEY COUNTY, MINNESOTA, DATED SEPTEMBER 8, 1972, AS AMENDED AND ENTITLED "ZONING ORDINANCE OF THE TOWN OF WHITE BEAR RAMSEY COUNTY, MINNESOTA" AND DIVIDING THE TOWN INTO DISTRICTS OR ZONES

THE TOWN BOARD OF SUPERVISORS OF THE TOWN OF WHITE BEAR ORDAINS:

SECTION 1. AMENDMENT. Section 3 – DEFINITIONS of Ordinance No. 35 is amended by adding Section 3-55.A - PET DAYCARE & BOARDING FACILITY which shall read as follows:

3-55.A. PET DAYCARE & BOARDING FACILITY. A facility which provides pet services including day care, boarding, grooming, training of pets, and retail sales of pet supplies.

SECTION 2. SEVERABILITY. Should any section, subdivision, clause or

ROBERT J. KERMES, Chair
ED M. PRUDHON, Supervisor
STEVEN A. RUZEK, Supervisor
Published one time in the White Bear Press on September 19, 2018.

US STORAGE CENTERS NOTICE OF SELF STORAGE SALE

Please take notice US Storage Centers – White Bear located at 1828 Buerkle Road White Bear, MN 55110 intends to hold an Auction to sell the property stored by the following tenants at the storage facility. The sale will occur as an online auction via www.usstoragecenters.com/auctions on 10/9/2018 at 10:00 am. Unless stated otherwise the description of the contents are household goods and furnishings. Melissa Ann Frokjer; Jeremy Phillips; Lisa Dolle; Perzichilli Marie; Toni Wangari; Jessica Jackson. All property is being stored at the above self-storage facility. This sale may be withdrawn at any time without notice. Certain terms and conditions apply. See manager for details.

Published two times in the White Bear Press on Sept. 19 and 26, 2018.

NOTICE OF MORTGAGE FORECLOSURE SALE THE RIGHT TO VERIFICATION OF THE DEBT AND IDENTITY OF THE ORIGINAL CREDITOR WITHIN THE TIME PROVIDED BY LAW IS NOT AFFECTED BY THIS ACTION.

NOTICE IS HEREBY GIVEN that default has occurred in the conditions of the following described mortgage:

DATE OF MORTGAGE: June 18, 2015
ORIGINAL PRINCIPAL AMOUNT OF MORTGAGE: \$275,000.00
MORTGAGORS: Thor J. Heinen
MORTGAGEE: Pioneer Bank
DATE AND PLACE OF RECORDING: July 1, 2015 at Ramsey County, Minnesota.

DOCUMENT NUMBER: A04563115*
*Corrected by Corrective Mortgage, dated June 18, 2015, filed August 4, 2015 as Document No.

A04568620. Corrective Mortgage was recorded to correct the legal description on original Mortgage recorded as Document No. A04563115.

ASSIGNMENT OF MORTGAGE: None
TRANSACTION AGENT: None
TRANSACTION AGENT MORTGAGE IDENTIFICATION NUMBER: None

PROPERTY ADDRESS: 2340 and 2356 Charles Avenue, St Paul, MN 55114.

TAX PARCEL IDENTIFICATION NUMBER: 29.29.23.43.0060 and 29.29.23.43.0061

LEGAL DESCRIPTION OF PROPERTY:
The Northerly 80.12 feet of the Easterly 22.52 feet of Lot 49 and the Northerly 30 feet of Lot 50, all in Hewitt's Outlots First Division, Ramsey County, Minnesota.

AMOUNT DUE AND CLAIMED TO BE DUE AS OF DATE OF NOTICE: \$ 238,323.25

THAT all pre-foreclosure requirements have been complied with; that no action or proceeding has been instituted at law or otherwise to recover the debt secured by said mortgage, or any part thereof;

PURSUANT to the power of sale contained in said mortgage, the above-described property will be sold by the Sheriff of said county as follows:

DATE AND TIME OF SALE: October 30, 2018, at 10:00 a.m.
PLACE OF SALE: Ramsey County Sheriff's Office Civil Process Unit, 25 West 4th Street, Suite. 150, St. Paul, MN 55102

To pay the debt secured by said mortgage and taxes, if any, on said premises and the costs and disbursements including attorneys' fees allowed by law, subject to redemption within six (6) months from the date of said sale by the mortgagor(s), their representatives or assigns.

If the Mortgage is not reinstated under Minn. Stat. §580.23, the Mortgagor must vacate the property on or before 11:59 p.m. on April 30, 2019.

Mortgagor(s) released from financial obligation: NONE

THIS COMMUNICATION IS FROM A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. THE RIGHT TO VERIFICATION OF THE DEBT AND IDENTITY OF THE ORIGINAL CREDITOR WITHIN THE TIME PROVIDED BY LAW IS NOT AFFECTED BY THIS ACTION.

THE TIME ALLOWED BY LAW FOR REDEMPTION BY THE MORTGAGOR, THE MORTGAGOR'S PERSONAL REPRESENTATIVES OR ASSIGNS MAY BE REDUCED TO FIVE WEEKS IF A JUDICIAL ORDER IS ENTERED UNDER MINNESOTA STATUTES, SECTION 582.D32, DETERMINING, AMONG OTHER THINGS, THAT THE MORTGAGED PREMISES ARE IMPROVED WITH A RESIDENTIAL DWELLING OF LESS THAN FIVE UNITS, ARE NOT PROPERTY USED IN AGRICULTURAL PRODUCTION, AND ARE ABANDONED.

Dated: 09/04/2018
Stacey R. Edwards Jones
JONES LAW OFFICE
212 Madison Avenue, Suite 10
Mankato, MN 56001
(507) 385-4488

Published six times in the White Bear Press on September 19, 26, October 3, 10, 17 and 24, 2018.



**Town Board Meeting
October 1, 2018**

Agenda Number: 8A – New Business

General Business:

Subject: Parkview Village - Pavement Concerns

**Documentation: Cusick Email /
Public Works Director Memo**

Action / Motion for Consideration:

Report at Meeting / Discuss

Patti Walstad

From: Bill Short
Sent: Monday, September 24, 2018 1:07 PM
To: Patti Walstad
Subject: Parkview Village - MEETING WITH TOWNSHIP BOARD

For 10/1/18 agenda

From: Dennis Cusick [mailto:dcusick@umcpi.org]
Sent: Monday, September 24, 2018 12:14 PM
To: Bill Short <Bill.Short@whitebeartownship.org>
Subject: Re: MEETING WITH TOWNSHIP BOARD

Thanks Bill. I will be in Michigan all week training the Michigan State Police. Dennis

Sent from my iPhone

On Sep 24, 2018, at 1:06 PM, Bill Short <Bill.Short@whitebeartownship.org> wrote:

Good morning Dennis,
I wanted to let you know that I received your message. We will be putting the agenda together for the 10/1/18 Town Board meeting tomorrow. I'll add it for now and we can discuss further tomorrow.

Bill

William F. Short

Clerk-Treasurer

White Bear Township

1281 Hammond Rd.

White Bear Township, MN 55110

(office) 651-747-2750

(direct) 651-747-2758

(fax) 651-426-2258

bill.short@whitebeartownship.org

From: Dennis Cusick [mailto:dcusick@umcpi.org]
Sent: Wednesday, September 19, 2018 11:39 AM
To: Bill Short <Bill.Short@whitebeartownship.org>
Subject: MEETING WITH TOWNSHIP BOARD

Mr. William Short, Clerk/ Treasure, White Bear Township. At our Annual Meeting of the Parkview Village Town Home Association, September 17 2018, the recent repair to Parkview Drive and the blacktop walkway south of Parkview Drive were the topic of a very contentious discussion. In summary the residents were very disappointed in the quality of the work and the appearance of the roadways. The residence strongly believe the current condition of both surfaces devalue our individual properties and the Association as an attractive community.

The Membership unanimously voted to make a presentation to the Township Board and directed me to make the arrangements. The purpose of this correspondence is to request that you place this matter on the Township Boards meeting agenda at your earliest convenience. You can anticipate a group of approximately eight representatives attending the meeting.

I await your response to this request. Sincerely

Dennis Cusick, Board President.

Thank you,

Dennis Cusick
Executive Director
Chief of Police Emeritus
Upper Midwest Community Policing Institute
dcusick@umcpi.org
651-917-2259

MEMORANDUM

Date: September 25, 2018

To: Bill Short, Clerk/Treasurer

From: Dale Reed, Public Works Director

Re: Parkview Village Pavement Construction and Maintenance History

Parkview Drive was construction in 1998 and has had two sealcoat applications applied since construction, one in 2000 and the other in 2011. Since that time only routine asphalt patching has been completed. In the last several years, the asphalt has developed large open aggregate areas, due to a loss of oil in the asphalt pavement. The most prudent type of repair, for this asphalt condition, is skin patching. Skin patching involves spreading a thin layer of asphalt over the eroded area to hold it from further deterioration, until a more permanent solution can be implemented, such as a Mill and Overlay or Reclaim.



**Town Board Meeting
October 1, 2018**

Agenda Number: 8B – New Business

General Business:

Subject: Solicitor License Request – Happy Hippie Homes, LLC

Documentation: Staff Memo w/attachments

Action / Motion for Consideration:

Based on Staff review and recommendation authorize issuance of a Solicitor's License to Sammi Cook-Kuehn d/b/a Happy Hippie Homes LLC, 5347 Portland Avenue, White Bear Lake, Minnesota, subject to the following:

1. Only the following individuals are granted permission to solicit under this License is Sammi Cook-Kuehn.
2. The license shall be valid for a period of thirty (30) days from the date of issuance.
3. Hours of solicitation shall only be:

9:00 a.m. – 7:00 p.m., Monday through Saturday
No Sunday soliciting
4. No solicitation shall be allowed on property displaying a sign stating "No Peddlers, Solicitors or Transit Merchants" or a comparable statement.

MEMORANDUM

TO: TOWN BOARD
FROM: PATTI WALSTAD
DATE: APRIL 27, 2018

SUBJECT: SOLICITOR LICENSE REQUEST

Sammi Cook-Kuehn d/b/a Happy Hippie Homes LLC, 5347 Portland Avenue, White Bear Lake, Minnesota, has submitted a request for a 30-day solicitor's license in White Bear Township.

Ordinance No. 37 sets forth the procedures that need to be followed for issuance of a solicitor/peddler license. It states:

Determine type of license needed:

Happy Hippie Homes, LLC falls under the definition of "solicitor" as stated in the Ordinance:

"SOLICITOR. A person who goes from house-to-house, door-to-door, business-to-business, street-to-street, or any other type of place-to-place, for the purpose of obtaining or attempting to obtain orders for goods, ware, products, merchandise, other personal property or services of which he or she may be carrying or transporting samples, or that may be described in a catalog or by other means, and for which delivery or performance shall occur at a later time. The absence of samples or catalogs shall not remove a person from the scope of this provision if the actual purpose of the person's activity is to obtain or attempt to obtain orders as discussed above."

License application form and completed Releases from all prospective solicitors must be received.

The applicant has completed the License Application and submitted it to the Town along with signed Releases from each individual who will be soliciting.

Applicant shall show proof of County license if applicable (transient merchant only).

N/A

Payment of fee.

The applicant will pay the \$35.00 license fee as set forth in Ordinance No. 54 (Fees & Charges) after the license is approved.

The applicant would like to begin soliciting on October 29th to coincide with her license in the City of White Bear Lake.

Background Check.

I have received the background check from the Ramsey County Sheriff's Office (see distribution file) and it is clear.

Requested Action:

Based on Staff review and recommendation authorize issuance of a Solicitor's License to Sammi Cook-Kuehn d/b/a Happy Hippie Homes LLC, 5347 Portland Avenue, White Bear Lake, Minnesota, subject to the following:

1. Only the following individuals are granted permission to solicit under this License is Sammi Cook-Kuehn.
2. The license shall be valid for a period of thirty (30) days from the date of issuance.
3. Hours of solicitation shall only be:

9:00 a.m. – 7:00 p.m., Monday through Saturday
No Sunday soliciting
4. No solicitation shall be allowed on property displaying a sign stating "No Peddlers, Solicitors or Transit Merchants" or a comparable statement.

PSW/s
cc:admin.file
b:happyhippie



LICENSE APPLICATION

Application for: _____ Peddler License
_____ X _____ Solicitor License
_____ Transient Merchant License

X _____ Initial Application OR _____ Renewal Application

Dates you intend to conduct business in the Town of White Bear: September 30 - October 2018

Number of days you will conduct business in the Town: 30

APPLICANT

Sammi L. Cook-Kuehn
Full Legal Name

D.B.A. Happy Hippie Homes, LLC
Any other names/aliases under which you conduct business or officially answer

Driver's License or MN I.D. Number _____

Physical Description:

Blue _____ Brown _____ 5'5" _____ 135 lbs
Eye Color Hair Color Height Weight

5347 Portland Avenue, White Bear Twp., MN 55110
Permanent Residence Address Residence Telephone Number

651-208-3468

Circle one:

I have have not been convicted within the last five years of a felony, gross misdemeanor, or misdemeanor for violation of any state or federal statute or any local ordinance (other than misdemeanor traffic offenses).

List all other individuals to be covered by the license or all individuals accompanying you while conducting the business place-to-place: _____

Please list the three most recent townships and/or cities where you have conducted business as a peddler, solicitor or transient merchant: White Bear Lake

If you are applying for a transient merchant license, please attach written permission from the property owner or the property owner's agent for any property to be used by your business to this Application.



**Town Board Meeting
October 1, 2018**

Agenda Number: 9 – 10- 11 - 12

Subject: Added Agenda Items
Open Time

Receipt of Agenda Materials & Supplements
Adjournment

Action / Motion for Consideration:

Added Agenda Items
Open Time

Receive All Agenda Materials & Supplements for Tonight's Meeting
Adjourn Meeting