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

WHITE BEAR TOWNSHIP
1858
RAMSEY COUNTY
MINNESOTA

1281 HAMMOND ROAD
WHITE BEAR TOWNSHIP, MN 55110

651-747-2750
FAX 651-426-2258
Email: wbt@whitebeartownship.org

AGENDA
TOWN BOARD MEETING
OCTOBER 15, 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 Special Meetings of August 31, 2018, September 25, 2018, October 1, 2018 & Regular Meeting of October 1, 2018, & Special Town Board & Joint Public Safety Commission Meeting of October 4, 2018 (Additions/Deletions).

5. **Consent Agenda:**

   A. **Three Oaks of White Bear Township - Clarification of Conditional Use Permit Requirements** – Based on Staff Review & Recommendation Approve the Clarification to Requirements #10 & #17 of the Conditional Use Permit.
   B. **Centerville Road Sewer Capacity** – Approve the Correspondence from the Town Engineer Regarding the Sewer Capacity of the Utilities in Centerville Road.
   C. **Right-of-Way Permit** – Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve the Comcast Permit to Replace Underground Coaxial Cable Line to Serve 1256 South Birch Lake Boulevard Which Will Include Directional Boring Under South Birch Lake Boulevard & the Residential Driveway.

6. **Old Business:**

   A. **5288 Lakeview Avenue** – Six Month Special Three Dog License Review.
   B. **Solicitor License Request** – Happy Hippie Homes, LLC.

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.

recycled paper

Agenda
Town Board Meeting
October 15, 2018

7. **Public Hearings:**

   A. **Petition to Vacate Excess Right-of-Way @ 5329 West Bald Eagle Boulevard.**

   B. **Improvement 2018-3 - Centerville Road Roadway Improvements** - Assessment Hearing.

   C. **SMC, 5858 Centerville Road** – Continuation of Public Hearing Request to Amend Ordinance No. 35, Section 7-18 – Advertising Sign Overlay Area & Issuance of a Conditional Use Permit.

   D. **Storm Water Pollution Prevention Program** – Annual Presentation of the Town's Program.

8. **New Business:**

   Building Inspector Item:

   A. **3rd Quarter Construction Report.**

   Town Planner Items:

   B. **2019 SCORE Grant Application** – Approve.

   C. **West Avenue Handicapped Accessibility Improvements** – Receive Quotes & Award Contract.

   General Business:

   D. **Ramsey County Sheriff's Office Contract** – Approve the 2019-2021 Contract.

   E. **Succession Planning:**
      1. Authorize Hiring of Patrick Christopherson.
      2. Approve the Town Clerk-Treasurer Employment Agreement.

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

White Bear Township's
Mission:

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

Town Board Meeting
October 15, 2018

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

Subject:

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

Approval of October 15, 2018 Agenda
Approval of Payment of Bills

Approval of Minutes of Special Meetings of August 31, 2018, September 25, 2018, October 1, 2018 & Regular Meeting of October 1, 2018, & Special Town Board & Joint Public Safety Commission Meeting of October 4, 2018 (Additions/Deletions)

Documentation:

October 15, 2018 Agenda
Minutes of Special Meetings of August 31, 2018, September 25, 2018, October 1, 2018 & Regular Meeting of October 1, 2018, & Special Town Board & Joint Public Safety Commission Meeting of October 4, 2018

Action / Motion for Consideration:

Call meeting to order:	7:00 p.m.
Approval of Agenda:	October 15, 2018 (additions/deletions)
Approval of Payment of Bills	
Approval of Minutes:	Special Meetings of August 31, 2018, September 25, 2018, October 1, 2018 & Regular Meeting of October 1, 2018, & Special Town Board & Joint Public Safety Commission Meeting of October 4, 2018 (Additions/Deletions)

MINUTES
SPECIAL TOWN BOARD MEETING
AUGUST 31, 2018

The meeting was called to order at 11:14 p.m. at the Administrative Offices Conference Room, 1281 Hammond Road.

Present: Supervisors: Kermes, Prudhon, Ruzek; Clerk: Short; Consultants: Barb Strandell and Janelle Teppen.

APPROVAL OF AGENDA: Prudhon moved approval of the Agenda. Ruzek seconded.

CONSENT AGENDA: There were no items on the Consent Agenda.

OLD BUSINESS: There were no Old Business Items.

SUCCESSION PLANNING: Barb Strandell and Janelle Teppen reviewed the status of the succession planning process. 34 applications were received. They narrowed the list down to ten, seven of whom they interviewed at Heritage Hall on August 20th. Five were recommended as semi-finalists. The Town Board reviewed these five and concluded that they would interview either two or three. Each Town Board Supervisor will review the applications over the Labor Day weekend and share their thoughts with the Clerk regarding their choice to interview. Social media checks will be performed on all finalists.

The Town Board decided to conduct interviews on Monday, October 1, 2018, during the workday.

ADDED AGENDA ITEMS: There were no added agenda items.

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

Prudhon moved to adjourn the meeting at 3:30 p.m. Ruzek seconded.

Respectfully Submitted,

William F. Short
Clerk-Treasurer

Approved as Official Meeting Minutes

_____ _____
Town Board Supervisor Date

DRAFT

MINUTES
SPECIAL TOWN BOARD MEETING
SEPTEMBER 25, 2018

The meeting was called to order at 3:05 p.m. at Heritage Hall, 4200 Otter Lake Road.

Present: Supervisors: Kermes, Prudhon, Ruzek; Clerk: Short; Consultants: Barb Strandell and Janelle Teppen.

APPROVAL OF AGENDA: Ruzek moved approval of the Agenda. Prudhon seconded.

CLERK-TREASURER INTERVIEWS – ORIENTATION: Barb Strandell and Janelle Teppen reviewed a checklist they had prepared regarding topics/items for the interview process.

SET DATE, TIMES AND ESTABLISH PROCESS FOR TOWN BOARD AND STAFF INTERVIEWS: The Town Board set the following dates and times for interviews:

Staff panel interviews:	9:00, 10:00, 11:00 on Monday, October 1st at the Township Administrative Offices
Town Board interviews:	12:30, 1:45, 3:00 on Monday, October 1st at Heritage Hall
Town Board deliberations:	4:15 at Heritage Hall

Prudhon moved to call a Special Town Board Meeting for Monday, October 1, 2018 at 12:30 p.m. at Heritage Hall to conduct Clerk-Treasurer interviews. Ruzek seconded. Ayes all.

ADDED AGENDA ITEMS: There were no added agenda items.

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

Prudhon moved to adjourn the meeting at 5:45 p.m. Ruzek seconded. Ayes all.

Respectfully Submitted,

William F. Short
Clerk-Treasurer

Approved as Official Meeting Minutes

_____ _____
Town Board Supervisor Date

DRAFT

MINUTES
SPECIAL TOWN BOARD MEETING
OCTOBER 1, 2018

The meeting was called to order at 12:35 p.m. at Heritage Hall, 4200 Otter Lake Road.

Present: Supervisors: Kermes, Prudhon, Ruzek; Clerk: Short; Consultants: Barbara Strandell and Janelle Teppen.

APPROVAL OF AGENDA: Ruzek moved approval of the Agenda. Prudhon seconded. Ayes all.

SUCCESSION PLANNING – INTERVIEWS: The Town Board conducted interviews with the three finalists: Patrick Christopherson, Kevin Kress, and Tobin Lay.

Ruzek moved to offer the position to Christopherson. Prudhon seconded. Ayes all.

Ruzek moved to authorize the Town Attorney and consultants to work with Town Staff to compose a draft Offer Letter and Employment Agreement. Prudhon seconded. Ayes all.

Ruzek moved to approve the Phased Retirement Option Agreement for the current Clerk-Treasurer to provide on-going assistance pursuant to terms compliant with PERA requirements. Prudhon seconded. Ayes.

OPEN TIME: No one appeared for the open portion of the Special Town Board Meeting

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

Prudhon moved to adjourn the meeting at 5:55 p.m. Ruzek seconded. Ayes all.

Respectfully Submitted,

William F. Short
Clerk-Treasurer

Approved as Official Meeting Minutes

_____ _____
Town Board Supervisor Date

DRAFT

MINUTES
TOWN BOARD MEETING
OCTOBER 1, 2018

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

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

APPROVAL OF AGENDA (Additions/Deletions): Ruzek moved approval of the agenda as follows: Add to Consent Agenda: 5G) Special Closed Attorney/Client Town Board Meeting for Monday, October 15, 2018 at 10:30 a.m. in the Township Conference Room, 1281 Hammond Road Regarding Water Meters; 5H) Call Special Town Board Meeting for Thursday, October 25, 2018 at 11:30 a.m. for the Annual Employee Appreciation Gathering; 5I) Call Board of Canvass Meeting for November 16, 2018 at 11:55 a.m. to Verify Election Returns; Add to New Business: 7C) Three Oaks of White Bear Township – Update.

APPROVAL OF PAYMENT OF BILLS: Prudhon moved approval of the payment of bills. Ruzek seconded. Ayes all.

APPROVAL OF MINUTES OF SEPTEMBER 17, 2018 (Additions/Deletions): Ruzek moved approval of the Minutes of September 17, 2018. Prudhon seconded. Ayes all.

CONSENT AGENDA: Ruzek moved approval of the Consent Agenda as follows: 5A) Based on Public Works Director Review and Recommendation Reject Quote Received from Cobra Construction for Public Works Service Door Canopies and Approve New Request for Quotes in Early 2019; 5B) Adopt Revised Resolution Accepting Township Day Donations; 5C) In Accordance with State Statutes, Adopt Resolution Designating Polling Places for the 2019 Elections; 5D) Call Public Hearing for Monday, November 5, 2018 at 7:00 p.m. to Consider Granting a 14.2' Side Yard Setback Variance Request at 4100 Bellaire Avenue; 5E) Based on Town Engineer Review and Recommendation and 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; 5F) Based on Town Engineer Review and Recommendation and Including His Recommended Conditions, Approve the Xcel Energy 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; 5G) Call Special Attorney/Client Town Board Meeting for Monday, October 15, 2018 at 10:30 a.m. in the Township Conference Room, 1281 Hammond Road Regarding Water Meters; 5H) Call Special Town Board Meeting for Thursday, October 25, 2018 at 11:30 a.m. for the Annual Employee Appreciation Gathering; 5I) Call Board of Canvass Meeting for Friday, November 16, 2018 at 11:55 a.m. to Verify Election Returns. Prudhon seconded. Ayes all.

OLD BUSINESS: There were no Old Business items.

PUBLIC HEARING – SMC, 5858 CENTERVILLE ROAD – REQUEST FOR AMENDMENT TO ORDINANCE NO. 35, SECTION 7-18 – ADVERTISING SIGN OVERLAY AREA AND CONDITIONAL USE PERMIT: It was announced that the Public Hearing notice was not filed in time to be published in time to hold the Public Hearing. As a result, the Public Hearing will be extended. The Town Attorney stated that the Board should exercise its right under Minnesota

Statute 1599 to extend the consideration for the Conditional Use Permit for 30 days. Kermes asked the applicant if there was any objection to the continuation of the request.

Dan Remes, 18631 Knollwood Circle, Lakeville, Minnesota stated that he has no objection and understands that he will be back for the hearing on the October 15th.

Ruzek moved to exercise the Town's right under Minnesota Statute 1599 to extend the consideration for the Conditional Use Permit for advertising sign at 5858 Centerville Road for 30 days noting that the applicant has stated that he has no objection to the extension. Prudhon seconded. Ayes all.

THREE OAKS OF WHITE BEAR TOWNSHIP – UPDATE: The Town Engineer reported that at the last meeting there was discussion on the work on the Three Oaks development. Over the past few weeks the utilities have been completed for the development. The development itself is preparing for the street work. The curb stakes have been placed and they getting ready for gravel and ultimately curb and gutter. As it relates to Anderson Lane, and the work along Centerville Road, a lot of work took place last week to remove bituminous, prepare the area and pave the right turn lane at Anderson Lane. That paving took place on Friday. The contractor is working on getting the shoulder and aggregate in place and striping the turn lane so it can be opened the neighborhood. It is estimated that the work on Anderson Lane should be done soon, hopefully in a week. The Engineer noted that they have been updating information on the website daily relatively to the work on Anderson.

PARKVIEW VILLAGE – PAVEMENT CONCERNS: The Clerk reported that the office received an email from Dennis Cusick regarding concerns that the homeowners of Parkview Village Homeowners Association have relative to the appearance of the roadways at Parkview Village.

Larry Waldoch, 2597 Parkview Drive, stated that he was a resident of Parkview Village and was speaking on behalf of the homeowners regarding the roadway issues. He provided photos of the condition of the roadway. He stated that the pictures are representative of Parkview Avenue. The street has suffered from potholes for a number of years. Part of the reason is that the school district has three bus routes that go down Parkview and turn around at the cul-de-sac six times each day that school is in session. He noted that there are no children at Parkview Village. A few months ago the Township had repairs done on some of the potholes. This effort ruins the look of the neighborhood. The Parkview Village Homeowners Association spends more than $100,000 a year keeping the neighborhood in excellent condition. The landscaping and outside of the buildings are in excellent condition. The appearance of the street is a disaster from their point of view. He stated that the traffic in the development is extremely light. They would like to start a conversation with the Township to develop a plan to resurface that road. He stated that fixing the patches is not taking care of the problem. He stated that he wants to emphasize that the homeowners feel that this is critical to their neighborhood. They have 44 living units. They pay approximately $220,000 in property taxes with about $32,000 going to the Township. He noted that they are not complaining about taxes. He stated that the homeowners are asking the Town Board to review the situation with the goal of getting that street resurfaced next summer. He stated that there are no children living at Parkview Village and that they have no problem with the kids being bussed but feel that the use of the street by the buses may contribute

some to the condition of the street. He asked if the School Board could be involved since they have six routes each day contributing to the problem with the roads. Larry Waldoch stated that he cannot emphasize enough how important this is to them. He was told that the road was scheduled to be done in 2025. He stated that they cannot wait to have the roads taken care of since it diminishes the value of their homes in their current condition. He thanked the Board for listening to their concerns. Kermes asked about the school bus traffic. Larry Waldoch stated that the buses come up Parkview Drive up to the cul-de-sac and stop and pick up the children who walk about a block from Meehan Drive. He stated that if he ran the school buses he would not know what else to do either because there is no place for the bus to turn around on Meehan Drive. He stated that they are not complaining about the school buses but point out the fact that they use the road and contribute to wear and tear on the road.

Pete Nasvik, 5526 Fenway Court, stated that he would agree to be the contact person for the homeowners association.

Kermes reported that the Township is involved in preparing a comprehensive pavement management plan and every street in the Township will be looked at and a schedule will be put together for street updates and/or replacement and financing requirements to do the work. The information will be available at the end of the year.

The Town Engineer stated that the streets at Parkview Village were built about 20 years ago. The roads were seal coated twice. The roads are now 20 years old and at a point where they are a good candidate for mill and overlay. He presented a graphic showing the traditional versus optimal life cycle of a street. If nothing is done to a street for 30 years it would degrade and need to be reconstructed. He explained how pavements are preserved and the life of a street is extended when seal coating is done. Two seal coats are estimated for the first 20-23 years of the street. Around 23 years of life a street mill and overlay brings back the life of a street. Degradation continues and a few more chip sealings are done. Another mill and overlay can be done but after two mill and overlay cycles the aggregate is degrading and a reconstruction is recommended. Streets degrade differently depending on traffic, types of vehicles using the street, drainage, and the soils under the street. The streets at Parkview Village have concrete curb and gutter which is a good thing. It helps with the drainage. It is a newer street and the base is better than older streets in the Town. He stated that in his estimation a mill and overlay should occur soon. This would have to be evaluated with the rest of the streets as well. If you wait too long for a mill and overlay the base begins to be damaged by the cracking in the street that allows water to get to the next layer of asphalt. The Engineer explained how streets are rated. In response to a question, if with the street patches, the street is still usable, the Engineer stated that skin patches are often used to address pot holes. The Engineer reported that the streets in the Township are rated. The rating is from 0-5, with a 5 rating being the streets in the best condition. In Parkview Village the streets are rated at 2.36. This would indicate that the street which is in this range could be due for a mill and overlay.

Pat Pickering, 2591 Parkview Drive stated that in the summer when they complained about the pot holes they were filled. They were told that the top surface was not structurally sound and that was why the extra heavy skin patch was put on. She stated that she wondered if the road was strong enough for the overlay. The Engineer stated that as part of the evaluation if it gets

on the schedule for mill and overlay they would do due diligence to be sure the right choice is made.

Verne Pickering, 2591 Parkview Drive asked where the streets in Parkview Village appear to be at this time on the life cycle of a street graph. The Engineer identified on the graphic where the streets would be on the graph. In terms of age the streets are at the age of 20-22 years so that is at the point of mill and overlay. In terms of rating it is 2.36 and is in the range where degradation of the street falls off. Each street degrades differently based on loading, traffic, drainage, and soils.

Pete Nasvik, 5526 Fenway Court stated that the primary problem is between Portland and Fenway, which is one block in. The surface of the street there deteriorates pretty widely. There were pot holes but also far more shallow deterioration and is pretty universal in that one block section. The streets in the rest of the development are not in as bad a shape as that particular block. The objection to skin patches is aesthetics. There are patches over patches and the street is not flat. He stated that it is unfortunate that they could not have just ground and milled one block in as a remedial step before the rest of the neighborhood is done since there was a fair amount of work spent in putting the patches in just chipping our the area and getting the debris out and putting a fair amount of black patches over. He reported that they did object to having the school bus route coming in the neighborhood but they understood the problem. He asked if there is any leverage with the School District to assist in the cost of repairs of the street because they use that portion of the street as well. There is a lot of bus activity there for a neighborhood that has no children. They come down the street because they can navigate the cul-de-sac. Larry Waldoch thanked the Town Board and stated that they are pleased to hear that there is some review of the streets. Kermes stated that staff can talk with School District staff to raise their level of awareness.

SOLICITOR LICENSE REQUEST – HAPPY HIPPIE HOMES, LLC: The Clerk reviewed the memo prepared by the Town's paralegal regarding the request. Sammi Cook-Kuehn d/b/a Happy Hippie Homes LLC, 5347 Portland Avenue, White Bear Lake submitted a request for a 30-day solicitor's license in the Township. The request is consistent with Town Ordinance No. 37 which sets forth the procedures that need to be followed for issuance of a solicitor/peddler license. The application has been completed along with releases. The applicant will pay the $35.00 license fee after the license is approved. The applicant would like to begin soliciting October 29th to coincide with her license to solicit in the City of White Bear Lake. The background check has been received from the Ramsey County Sheriff's Office and it is clear. The Clerk stated that he does not have a brochure but in their license application it describes the product they are marketing as green related. Submittal requirements have been satisfied, the background check has been completed, the applicant is in compliance with the Town's Solicitor's Ordinance, and the fee will be paid when the license is approved. If approved, it is subject to: 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.

Prudhon stated that the information states that the license is for real estate related sales. He asked what this means. The Clerk stated that he does not know as he does not have a brochure and he hasn't spoken with the applicant.

Kermes asked the Town Attorney how much detail is needed to know what they want to do. The Town Attorney stated that the information is spare but appears to be a real solicitation.

After discussion it was the consensus to continue consideration of the request until more can be found out about the reason for solicitation.

Prudhon moved to continue the matter of Solicitor Request – Happy Hippie Homes, LLC to the next Town Board meeting to allow time to find out what is being solicited. Ruzek seconded. Ayes all.

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

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

Prudhon moved to adjourn the meeting at 7:44 p.m. Ruzek seconded. Ayes all.

Respectfully Submitted,

William F. Short
Clerk-Treasurer

Approve as Official Meeting Minutes

_____ _____
Town Board Supervisor Date

DRAFT

MINUTES
SPECIAL TOWN BOARD & JOINT
PUBLIC SAFETY COMMISSION MEETING
OCTOBER 4, 2018

The meeting was called to order at 4:30 p.m. in the Administrative Conference Room, 1281 Hammond Road.

Present: Supervisors: Kermes, Prudhon, Ruzek; Clerk: Short.

APPROVAL OF AGENDA: Prudhon moved approval of the Agenda. Ruzek seconded.

CONSENT AGENDA: None.

SUCCESSION PLANNING: The Board reviewed the draft Offer Letter and Employment Agreement prepared by the consultant and Town Attorney.

Ruzek moved approval of the Offer Letter and Employment Agreement with minor changes recorded by the Clerk-Treasurer. Prudhon seconded. Ayes all.

OPEN TIME: No one appeared for the open portion of the Special Town Board Meeting

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

JOINT TOWN BOARD & PUBLIC SAFETY COMMISSION MEETING – Township Tour: The Town Board attended a tour of the Township along with the Public Safety Commission guided by the Clerk-Treasurer and attended the Public Safety Commission Meeting following the tour.

Prudhon moved to adjourn the meeting at 8:30 p.m. Ruzek seconded. Ayes all.

Respectfully Submitted,

William F. Short
Clerk-Treasurer

Approved as Official Meeting Minutes

_____ _____
Town Board Supervisor Date

DRAFT

Town Board Meeting
October 15, 2018

Agenda Number: **5A – Consent Agenda**

Subject: **Three Oaks of White Bear Township - Clarification of Conditional Use Permit Requirements** – Based on Staff Review & Recommendation Approve the Clarification to Requirements #10 & #17 of the Conditional Use Permit

Documentation: Conditional Use Permit / Zoning Certificate / Requirements

Action / Motion for Consideration:

Receive Information

Based on Staff Review & Recommendation Approve the Clarification to Requirements #10 & #17 of the Conditional Use Permit for Three Oaks of White Bear Township

STATE OF MINNESOTA

COUNTY OF RAMSEY

TOWN OF WHITE BEAR

Office of Town Clerk/Treasurer

CONDITIONAL USE PERMIT

IN CONSIDERATION of the statements made by the NORTH OAKS COMPANY, LLC, in their application therefor duly filed in this office, which Application is made a part hereof, and a showing by the applicant that the standards and criteria set forth in Ordinance No. 35 (Zoning) for Conditional Use Permits will be satisfied, a public hearing thereon having been held as provided by statute and ordinance, PERMISSION IS HEREBY GRANTED To said NORTH OAKS COMPANY, LLC, to allow construction of a planned unit development, upon a tract of land lying and being in the Town of White Bear, described as follows: See attached legal; Address: vacant land lying between Peterson Road and Centerville Road, all in Ramsey County, Minnesota; which tract is of the size and area specified in said application.

This permit is granted upon the express condition that said owner and her contractors, agents, workmen and employees shall comply in all respects with the ordinances of the Town of White Bear and the Special Requirements attached hereto and made a part hereof.

Given under the hand of the Town Clerk/Treasurer and the Seal of the Town Clerk this 15th day of October, 2018.

_____

TOWN CLERK/TREASURER

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

THIS INSTRUMENT WAS DRAFTED BY:
WHITE BEAR TOWNSHIP
1281 HAMMOND ROAD
WHITE BEAR TOWNSHIP MN 55110

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 Conditional Use Permit with the original records and files of said Town, and that the same is a full, true, and correct transcript therefrom.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the Town Clerk's Seal this 15th day of October, 2018.

_____

TOWN CLERK/TREASURER

ZONING CERTIFICATE

Town of White Bear, Minnesota

I hereby certify that the real estate situated in the Town of White Bear, Ramsey County, Minnesota, described as follows, to-wit: see attached legal description, and commonly known as: vacant property lying between Peterson Road and Centerville Road, is in a(n) R-1 – Suburban Residential District, and can be used for the following purpose: to allow construction of a planned unit development, in accordance with the attached Requirements, pursuant to Ordinance No. 35, the Zoning Ordinance for the Town of White Bear, Ramsey County, Minnesota.

Dated: October 15, 2018.

_____
TOWN CLERK

☒ CONDITIONAL USE

☐ PERMITTED USE

☐ NON-CONFORMING USE

☐ SPECIAL HOME OCCUPATION

☐ OTHER: _____

Legal Description:

All that part of the S ¼ of the SE ¼ of Section 4, Township 30, Range 22, Ramsey County, Minnesota, lying west of the center line of Peterson Road, except the following described property: Beginning at a point on the west line of the SE ¼ of said Section 4, distant 220 feet south of the NW corner of S ½ of the S ½ of said SE 1/4: thence east along a line drawn parallel with the north line of said S ½, S ½, SE ¼, a distance of 1155.59 feet; thence northeasterly a distance of 221.05 feet to point on the north line of said S ½, S ½, SE ¼, which point is located 1182.02 feet east of the NW corner of said S ½, S ½, SE ¼; thence west along said north line a distance of 1182.02 feet to the NW corner of said S ½, S ½, SE ¼; thence south along the west line of said S ½, S ½, SE ¼ a distance of 220 feet to the point of beginning,

together with:

All that part of the N ¼ of the NE ¼ of Section 9, Township 30, Range 22, Ramsey County, MN., lying west of the centerline of Peterson Road; excepting therefrom that part of thereof conveyed to Ramsey County by Quit Claim Deed filed November 8, 1912, as Document Number 431002, described as follows: A strip of land on the north side of Section 9, 16.5 feet wide on either side of Old Centerville Road; thence south along the centerline of said road a distance of 660 feet to the land of Oliver LeMay.

CONDITIONAL USE PERMIT
REQUIREMENTS

Cambridge Downs
Peterson Road & Centerville Road
White Bear Township Minnesota 55127

1. The following plans shall be made a part hereof by reference:

   - Preliminary Plat dated 3/22/18
   - Existing Conditions Plan dated 1/4/18
   - Preliminary Landscaping Plan dated 1/5/18
   - Title Sheet dated 3/9/18
   - Preliminary Sheet Plan dated 3/9/18, S.T.1
   - Preliminary Sheet Plan dated 3/9/18, S.T.2
   - Preliminary Utility Plan dated 3/9/18, U.P.1 / U.P.2
   - Preliminary Utility Plan dated 3/9/18, S.S.1
   - Preliminary Grading Plan dated 3/9/18, G.P.1 / G.P.2
   - Preliminary Grading Plan dated 3/9/18, G.P.2
   - Preliminary Erosion Control Plan dated 3/9/18, E.C.1

2. Requirements of the Town Engineer as follows shall be met.
   - The property line between Lot 10 and 11, Block 1, should line up with the rear lot line of the existing properties to the south for extension of the sanitary sewer system
   - It is recommended to construct a 32-foot road with curb and gutter from the North Oaks Company Development to CR H2.
   - It is recommended to construct a trail on the east side of Peterson Road.
   - The stormwater management plan will be updated to reflect the current layout.
   - Profiles shall be submitted prior to preliminary plat review by the Town Board for the proposed stormwater system.
   - Verify that catch basins are placed at low points throughout the project.
   - Verify that flared end section elevations and slopes are correct.
   - Additional evaluation by the Town Engineer regarding flow velocities at discharge points – required modifications shall be provided by the developer.
   - Verify that the proposed drainage and utility easements between lots are wide enough to provide access for maintenance of storm sewer running through them. Pond 1 and Infiltration Basin 1 access must be improved for maintenance purposes. A designated unhindered drainage and utility easement should be allowed between lots of the accessible routes for the maintenance.
   - A 10-foot drainage and utility easement will be added above the high water level of the basin for maintenance access.
   - There are existing 16" watermain stubs along Centerville Road north and south of the development site. Project must connect the stubs to finish the

loop along Centerville Road south to the existing watermain at County Road H2.
   - The watermain must be looped through the cul-de-sac.
   - Profiles of the proposed water system shall be provided prior to preliminary plat review by the Town Board.
   - Place temporary hydrant at the end of each watermain stub to enable flushing.
   - Verify gate valve locations to provide adequate shutdown of lines.
   - Profiles for the proposed sanitary sewer shall be provided prior to preliminary plat review by the Town Board.
   - A sewer stub shall be provided between the proposed Lots 10 and 11, Block 1 to service the area south of the development.

3. The Homeowners Association shall be responsible for up keep of any retaining walls located within the development.

4. The Town shall determine what improvements will be made to Peterson Road and trail/sidewalk in coordination with this project.

5. The waterline serving the development shall be connected to the watermain within the County Road H2 right-of-way. Assessments for the extension shall be determined by the Town.

6. Review of the proposed "Declaration of Covenants, Conditions & Restrictions" by the Town Attorney.

7. Ramsey County approval to construct a turn lane proposed to be a 100' lane with a 50' taper due to constraints with a driveway on the property to the south.

8. Payment of Park Dedication fees is required.

9. Naming of the proposed road and cul-de-sac shall be approved by the Township and included on the final plat.

10. ~~Homes throughout the development shall be limited to one story with a basement.~~ Three Oaks of White Bear Township will be a villa development with homes limited to one story with a basement.

11. A typical Landscaping Plan for individual lots shall be provided.

12. A surface water irrigation system shall be provided if feasible, in order to reduce use of municipal water.

13. All other Ramsey County requirements including:
   - County approval to install utilities (sanitary sewer, watermian & storm, etc.) within the Centerville Road right-of-way.

14. All VLAWMO requirements shall be complied with including:
   - Determining the buffer width for lots abutting the wetland area
   - Providing a MNRAM Report

15. All Wetland Scientist (SEH) recommendations shall be complied with.

16. NPDES permit shall be required.

17. ~~Cambridge Downs shall be a 55 plus development.~~ The Three Oaks of White Bear Township development will be marketed to "empty nesters" based on the one level villa home design.

18. All construction traffic shall access the development via Centerville Road and not through Peterson Road.

19. All State and Federal and local laws and ordinances shall be complied with.

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

Town Board Meeting
October 15, 2018

Agenda Number: **5B – Consent Agenda**

Subject: **Centerville Road Sewer Capacity** – Approve the Correspondence from the Town Engineer Regarding the Sewer Capacity of the Utilities in Centerville Road

Documentation: TKDA Correspondence

Action / Motion for Consideration:

Receive Information / Discuss

Approve the Correspondence from the Town Engineer Regarding the Sewer Capacity of the Utilities in Centerville Road

TKDA

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

Memorandum

To:	Bill Short	**Reference:**	Centerville Road Sanitary Sewer
Copies To:	Dale Reed		
		Project No.:	16627.010
From:	Dan Nesler	**Routing:**	
Date:	October 4, 2018		

Background and Purpose

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

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

Existing Agreements

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

Table 1: 1990 Sanitary sewer flow projections

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

An employee-owned company promoting affirmative action and equal opportunity.

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

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

Projected Flows

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

Table 2: Ultimate sanitary sewer flow projections

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

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

Table 3: Summary of projected and available capacities

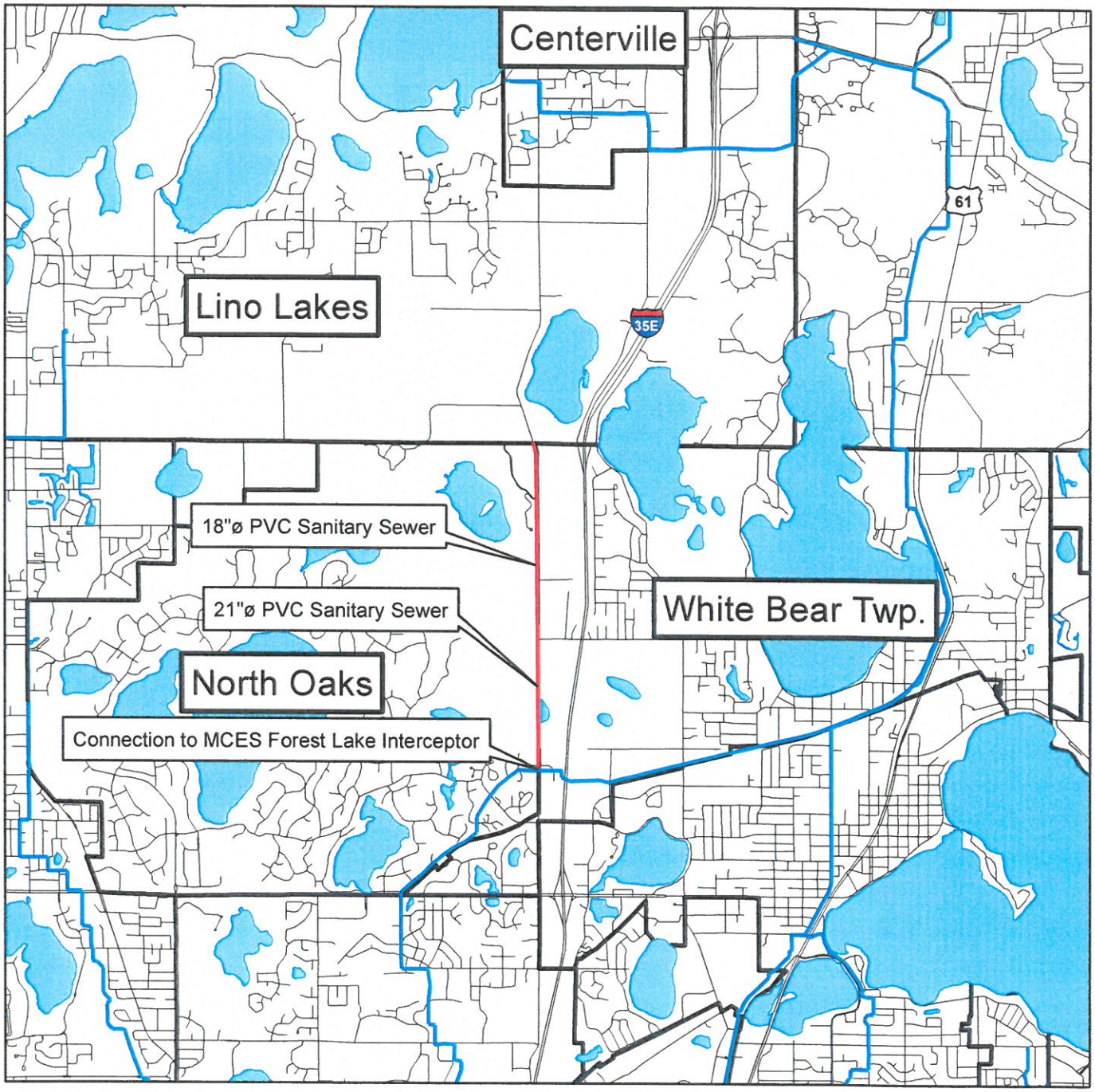
Segment	*85% Capacity of Sewer (gpm, average day)*	*Projected Flow (gpm, average day)*	*Remaining Capacity (gpm, average day)*
North of Anderson Lane	829	597	232
Forest Lake Interceptor	908	834	74

Summary and Next Steps

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

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

Figure 1. Centerville Road Sanitary Sewer



Legend

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

0 0.5 1 2

Miles

Source: Metropolitan Council

Limitation of Liability

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

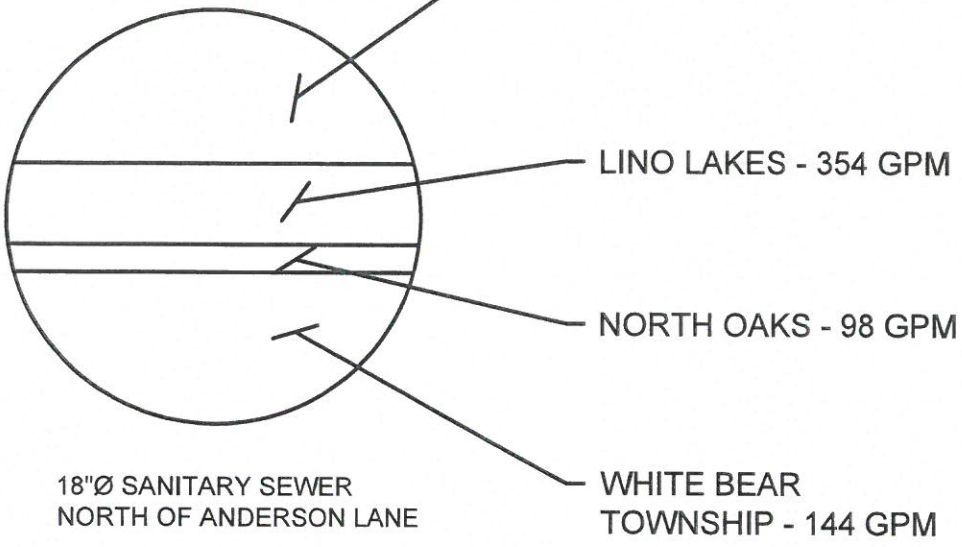
TKDA

Engineering
Architecture
Planning

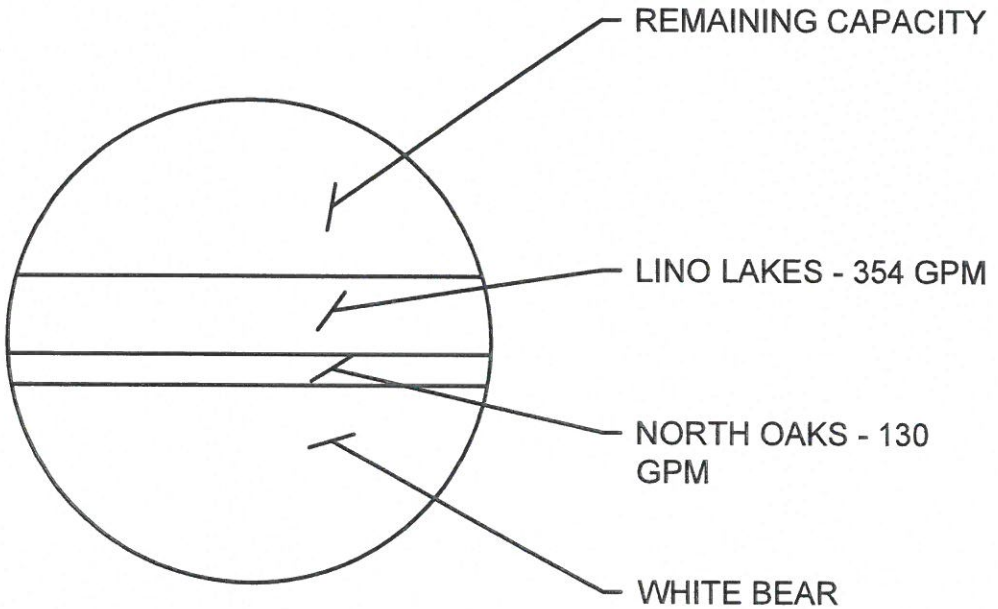
444 Cedar Street,
Suite 1500
Saint Paul, MN 55101
651.292.4400
tkda.com

Map date: September 2018

K:\n-z\WhiteBearTwp\16627010\04_Production\01_CAD\03_Concepts\Figure1-Centerville Road Sanitary Sewer.mxd



18"Ø SANITARY SEWER
NORTH OF ANDERSON LANE



21"Ø SANITARY SEWER
SOUTH OF ANDERSON LANE

ALL FLOWS SHOWN ARE AVERAGE DAILY FLOWS.

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

PROPOSED ULTIMATE SEWER CAPACITY
CENTERVILLE ROAD SANITARY SEWER

FIGURE 2

PLOT DATE: Sep 24, 2018 - 11:02am
FILE NAME: C:\Users\neslerd\Desktop\wbt fIG.dwg

Town Board Meeting
October 15, 2018

Agenda Number: **5C – Consent Agenda**

Subject: **Right-of-Way Permit** – Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve the Comcast Permit to Replace Underground Coaxial Cable Line to Serve 1256 South Birch Lake Boulevard Which Will Include Directional Boring Under South Birch Lake Boulevard & the Residential Driveway

Documentation: TKDA 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 Replace Underground Coaxial Cable Line to Serve 1256 South Birch Lake Boulevard Which Will Include Directional Boring Under South Birch Lake Boulevard & the Residential Driveway

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

TKDA

October 11, 2018

Honorable Chairman and Town Board
White Bear Township, Minnesota

Re: Comcast Permit Application
1256 South Birch Lake Boulevard
White Bear Township, Minnesota
TKDA Project No. 16627.000

Dear Board Members:

Comcast submitted an application for a permit to replace underground coaxial cable line to service a resident at 1256 South Birch Lake Boulevard. Work will include directional boring under South Birch Lake Boulevard and the residential driveway.

We recommend approval with the following conditions:

1. Construction must protect South Birch Lake Boulevard during the boring process.
2. Construction must protect residential driveways during the boring process.
3. Construction must protect the sanitary sewer and watermain services.
4. South Birch Lake Boulevard is also under the Jurisdiction of White Bear Lake and may require a permit from them.
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

An employee owned company promoting affirmative action and equal opportunity

PERMIT NO. _____ CITY OF WHITE BEAR TWP

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

Name of Party or Organization performing work COMCAST/TAK

Address _____ Telephone No _____

1. Nature of Work BORE UNDER ROAD FROM CATV ON WEST SIDE OF BIRCH LAKE TO EAST SIDE OF ROAD.
   Type of Surface to be Disturbed _____
   (Check type) ☐ Gravel ☐ Bituminous ☐ Concrete ☒ Boulevard
2. Location _____
   Street, Avenue, and House number 1256 S BIRCH LAKE BLVD
   (Additional information attached when necessary)
3. Size and kind of pipe, conduit or cable _____ 1" _____
   Depth from Surface (Min. 18") _____ 24" _____
4. Method of Installation or Construction (including method of compaction & excavation)
   Plow _____
   Pneuma Gopher & Tamper XX _____
   Directional Bore _____
5. Work to start within when permitted days and completed within 120 days thereafter
6. Will detouring of traffic be necessary? NO If so describe rerouting

_____

_____

CITY ENGINEER
JIM STUDENSKI @ TKDA
PHONE # (651) 292-4503
EMAIL/Jim.Studenski@TKDA.com

For Comcast
Signed by Bill Reed
Dated 10-11-18

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:

_____

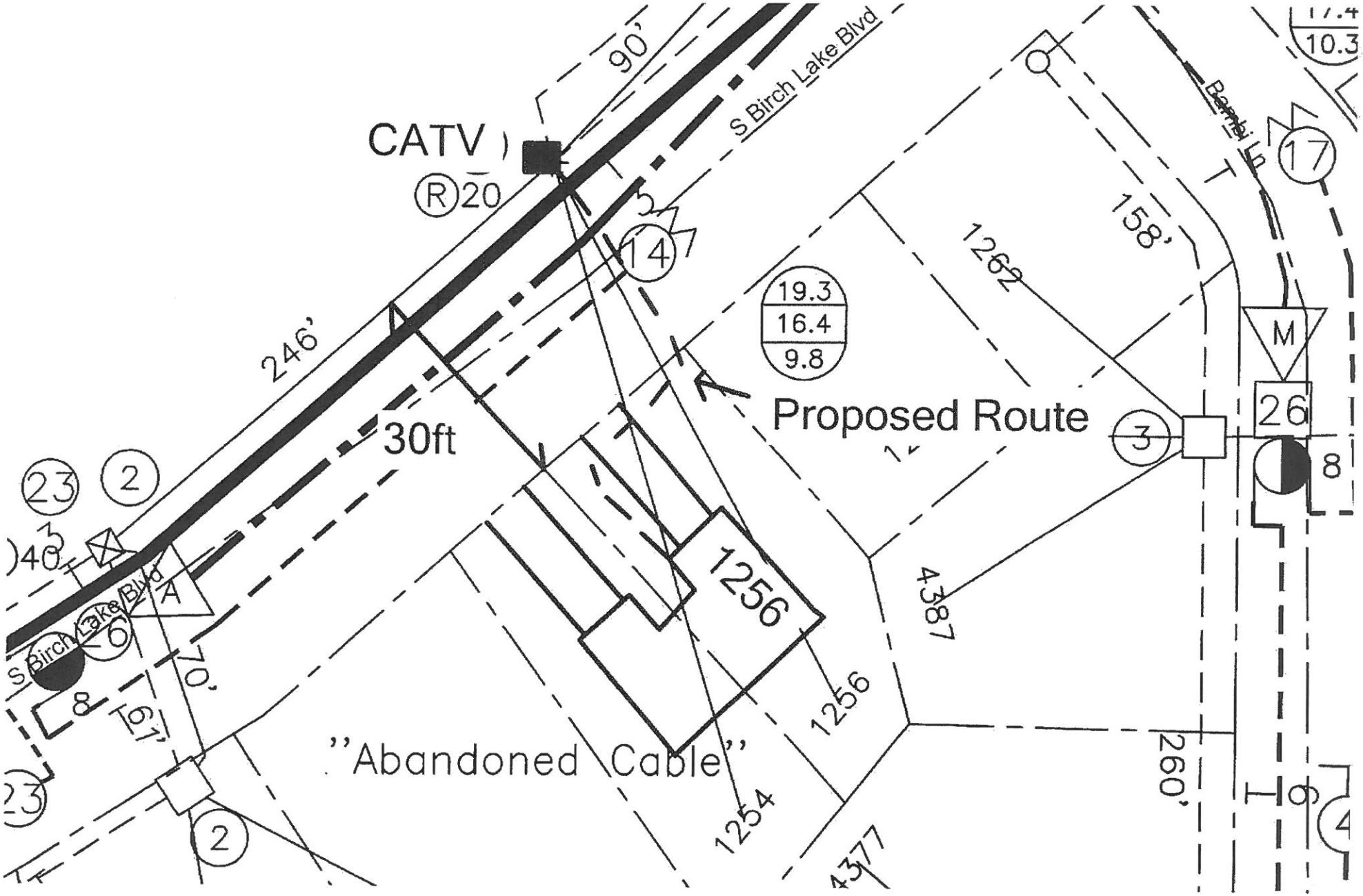
_____

_____

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 _____



CATV
R 20
90'
S Birch Lake Blvd
246'
30ft
14
19.3
16.4
9.8
Proposed Route
1262
158'
Bambi Ln
17
10.3
M
26
3
8
23
2
40
A
6
S Birch Lake Blvd
70'
61'
8
1256
4387
1256
1254
4377
260'
"Abandoned Cable"
23
2

DROP BURY REQUEST TAK

JOB #	TECH #	DATE
689465	2390	10/9

AREA: NW | NE | SW | SE

ZIP	CITY	SUB NAME
55110	St. Paul	

ADDRESS: 1256 S Birch Lake Blvd

PHONE #:

CROSS STREET:

Every job requires Paint and Flag! If this area is not filled out you will be sent back to VERIFY/RECTIFY!

PAINTED & FLAGGED: Yes

DWELLING TYPE

S/F Home	
Duplex	✓
Complex	
4-Plex	

WHY IS BURY NEEDED?

New Install	
Bad Drop	✓
Pending Install	

Is Drop lying on Ground? Y (N)

Type of Account? (Resi) Bus.

Prebury	Y (N)
Aerial To Underground	(Y) N
Ladder Needed	(Y) N
Cutover Needed	Y (N)

CALL B4 BURY	Y N
SPRINKLERS	Y N
DOG FENCE	Y N
LANDSCAPING	Y N
FENCED YARD	Y N
PRIVATE UTILITIES	Y N

DROP:

	Primary Drop	A/O
FT	160	120

BORES:

	SW	DW	ROAD	ALLEY	PATIO
FT		25	30		
TYPE		asphalt	asphalt		

fill in TYPE for each (pavers, asphalt, gravel)

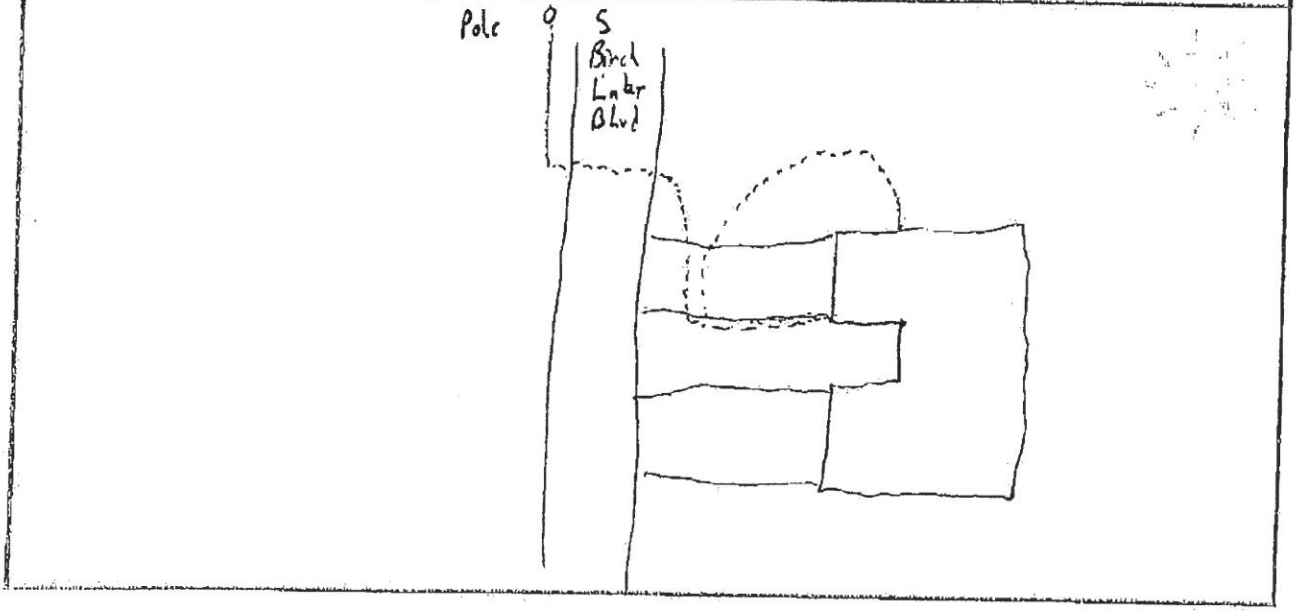
What Address To Bore? SAME:

OTHER:

X

I APPROVE THIS ROUTE AND HAVE NOTIFIED THE TECHNICIAN OF PRIVATE OBSTRUCTIONS

DIAGRAM



Town Board Meeting
October 15, 2018

Agenda Number: **6A – Old Business**

Subject: **5288 Lakeview Avenue** – Six Month Special Three Dog License Review

Documentation: Staff Memo /
Special Three Dog License w/ Requirements

Action / Motion for Consideration:

Receive Information / Discuss

MEMORANDUM

TO: TOWN BOARD
FROM: PATTI WALSTAD
DATE: OCTOBER 9, 2018

SUBJECT: SPECIAL THREE DOG LICENSE - 5288 LAKEVIEW AVENUE

In accordance with the conditions of the Special Three Dog License issued on April 16, 2018, a six month review was required to insurance compliance with the barking portion of the Township's Animal Ordinance.

I contacted the Ramsey County Sheriff's Office to see if they had received any complaints during the last six months and they have not. The Township's Offices did not receive any complaints either.

WHITE BEAR TOWNSHIP

Special Three Dog License

I hereby certify that Kim & Rich Poirier, who reside at 5288 Lakeview Avenue, White Bear Township, Minnesota, which is legally described as follows:

Lot 2, Block 3, Oak Ridge Pond,

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

Dated: April 16, 2018.

_____

WILLIAM F. SHORT, Clerk-Treasurer

Requirements

Special Three Dog License

Kim & Rich Poirier
5288 Lakeview Avenue
White Bear Township, MN 55110

1. This Special Three Dog License shall be limited to three (3) dogs.

2. All dogs shall have current licenses within ten (10) days of approval of the Special Three Dog License.

3. All dogs shall have current rabies vaccinations.

4. The premises shall be cleaned of all feces on a daily basis. Unreasonable noise, odors or other annoyances shall be prohibited for the protection of the public and safety.

5. This Special Three Dog License shall be reviewed in six (6) months to insure compliance with the barking portion of the Township's Animal Ordinance.

6. This Special Three Dog License shall expire on March 31, 2022. Application for renewal shall be completed prior to that date.

7. White Bear Township reserves the right to revisit the action to approve this Special Three Dog License if complaints are received during the license period.

8. State, Federal and local laws and Ordinances shall be complied with.

Town Board Meeting
October 15, 2018

Agenda Number: **6B – Old Business**

Subject: **Solicitor License Request** – Happy Hippie Homes, LLC

Documentation: Happy Hippie Homes Brochure /
Definition of NAR's Green Designation /
Staff Memo w/ attachments

Action / Motion for Consideration:

Report at Meeting / Discuss

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, beginning on October 29, 2018, 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 October 29, 2018.

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.

Minutes
Town Board Meeting
October 1, 2018

SOLICITOR LICENSE REQUEST – HAPPY HIPPIE HOMES, LLC: The Clerk reviewed the memo prepared by the Town's paralegal regarding the request. Sammi Cook-Kuehn d/b/a Happy Hippie Homes LLC, 5347 Portland Avenue, White Bear Lake submitted a request for a 30-day solicitor's license in the Township. The request is consistent with Town Ordinance No. 37 which sets forth the procedures that need to be followed for issuance of a solicitor/peddler license. The application has been completed along with releases. The applicant will pay the $35.00 license fee after the license is approved. The applicant would like to begin soliciting October 29th to coincide with her license to solicit in the City of White Bear Lake. The background check has been received from the Ramsey County Sheriff's Office and it is clear. The Clerk stated that he does not have a brochure but in their license application it describes the product they are marketing as green related. Submittal requirements have been satisfied, the background check has been completed, the applicant is in compliance with the Town's Solicitor's Ordinance, and the fee will be paid when the license is approved. If approved, it is subject to: 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.

Prudhon stated that the information states that the license is for real estate related sales. He asked what this means. The Clerk stated that he does not know as he does not have a brochure and he hasn't spoken with the applicant.

Kermes asked the Town Attorney how much detail is needed to know what they want to do. The Town Attorney stated that the information is spare but appears to be a real solicitation.

After discussion it was the consensus to continue consideration of the request until more can be found out about the reason for solicitation.

Prudhon moved to continue the matter of Solicitor Request – Happy Hippie Homes, LLC to the next Town Board meeting to allow time to find out what is being solicited. Ruzek seconded. Ayes all.

Buying or Selling?
Curious to know your home's value?

My name is Sammi and I live and work as a Realtor™ in White Bear.

If you, or someone you know, is thinking about buying, selling, or just needs a free home market analysis, - I'm ready to help you!

Let The Happy Hippie Real Estate Agent
Help You Find Your Happy Place!

Phone: 651-208-3468
Email: sammicookkuehn@gmail.com

green
NAR's Green Designation

Me with My Mini Aussie,
"Ray-Ray of Sunshine"

Phone: 651-208-3468
Email: sammicookkuehn@gmail.com

I deliver 5-star service!
See what my customers say about me at:
http://www.happyhippierealestate.com
-AND-
Google Reviews!

Incentives available for
Small Business Owners

Agent at Mingo Realty

MINGO REALTY INC.

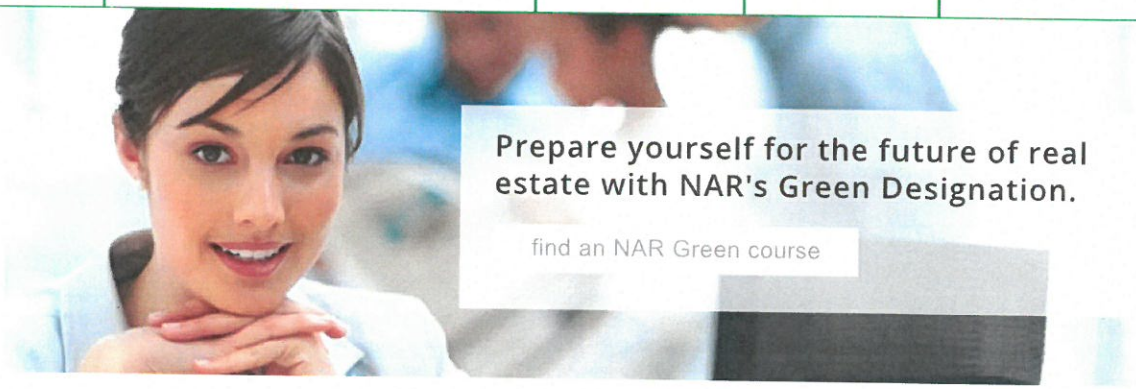
NATIONAL ASSOCIATION of REALTORS® Official Designation

green

Member Sign In:

Enter Last Name | Enter NRDS or CSRE ID # | sign in

I forgot my NRDS or CSRE ID #



Find an NAR Green Designee:

United States and US Territories | City | Select a State | or ZIP Code | search now

Are you prepared for the future of real estate? Earn NAR's Green Designation.

The National Association of REALTORS® has created a green designation and benefits program tailored for real estate agents. NAR's Green Designation (/earning-nars-green-designation/what-nars-green-designation) provides advanced training in green building and sustainable business practices so that you can seek out, understand, and market properties with green features.

Builder and consumer adoption of sustainability is rapidly growing...will you be ready to guide your clients?

Sign up for a green course (/green-courses/find-course) or learn more about how to apply (/earning-nars-green-designation/apply-now).

GREEN UPDATES

Like us on Facebook! (https://www.facebook.com/NARGREEN)

Connect with our social media profiles for updated information on special offers, event updates, industry news and more. It's also a great way to stay engaged and connect with other like-minded agents and professionals.

Help Your MLS Stay Current With the Green MLS Implementation Guide
(http://greenresourcecouncil.org/sites/default/files/2014%20NAR%20Green%20MLS%20Implementation%20Guide.pdf)

Does your MLS have green fields? Use the RETS Data Dictionary? The Green MLS Implementation Guide is a document designed to share a how-to on the process or bringing yout MLS up to speed with high-performance home features. Download it now, then visit GreenTheMLS.org for additional research and information on the topic.

GREEN INDUSTRY NEWS

View More News (/green-industry-news)

Saudi Prince's Elevation Will Have Far-Reaching Consequences in Energy (https://www.nytimes.com/2017/06/21/business/energy-environment/saudi-mohammed-oil-opec.html?partner=rss&emc=rss)

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 October 29, 2018.

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

WHITE BEAR TOWNSHIP
1858
RAMSEY COUNTY
MINNESOTA

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 (Eye Color) | Brown (Hair Color) | 5'5" (Height) | 135 lbs. (Weight)

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

651-208-3468
Residence Telephone Number

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).

VEHICLE INFORMATION (Please include information for all vehicles to be used in conjunction with the license)

Mini Cooper — Make
Countryman S — Model
2015 — Year
Jungle Green — Color
License Plate Number/State
Vehicle Identification Number

APPLICANT'S BUSINESS INFORMATION

Sammi Cook-Kuehn, Realtor @ Mingo Realty Inc.
Happy Hippie Homes — Business Name
4707 Hwy. 61 North #147 WBL, MN 55110 — Address
651.208.3468 — Telephone Number

82-5503672
Minnesota Sales Tax I.D. Number

A Minnesota Sales Tax ID Number can be obtained through the Minnesota Department of Revenue at (651) 282-5225.

Full legal name of any and all business organizations owned, managed or operated by you or for which you are an employee or agent: Happy Hippie Homes LLC
SuperGreen Solutions - DBA Eccentric Systems LLC

Any and all address(es) and telephone numbers where you can be reached while conducting business in the Town, including a location if you are a transient merchant and intend to set up business: 651.208.3468

Type of business to be conducted and/or items to be sold (attach an additional sheet if necessary): Door knocking to solicit real estate related sales and market myself as a National Association of Realtors Green Designee.

Description of how and where the business is to be conducted:
Door to door - walking neighborhoods.

Proposed hours/days of operation: Sunday through Saturday 9a.m.-7p.m.

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 15, 2018

Agenda Number: **7A – Public Hearing**

Subject: **Petition to Vacate Excess Right-of-Way @ 5329 West Bald Eagle Boulevard**

Documentation: Petition to Vacate Parts of Bald Eagle Boulevard West / Public Notice / DNR & Resident Letter / Map / Affidavit of Publication / Certificate of Posting / Proposed Resolution Vacating Excess Right-of-Way on West Bald Eagle Boulevard

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

Based on Staff Review & Recommendation Approve the Vacation of Excess Right-of-Way on West Bald Eagle Boulevard as it Relates to 5329 West Bald Eagle Boulevard

&

Adopt **Resolution Vacating Excess Right-of-Way on West Bald Eagle Boulevard**

Prudhon – Moves **Ruzek - Second**

Noting that this Vacation of Excess Right-of-Way is Consistent with Others Along East & West Bald Eagle Boulevard.

PETITION TO VACATE PARTS OF BALD EAGLE BOULEVARD WEST, WHITE BEAR TOWNSHIP

To: White Bear Township, 1281 Hammond Road, White Bear Township, Minnesota 55110

Susan G. Cross, residing in and owning property in White Bear Township, Minnesota addressed at:

5329 Bald Eagle Boulevard West
White Bear Township, Minnesota, 55110;

hereby petitions for the vacation of excess and unneeded road right-of-way as fully described on the attached Exhibit A.

In Witness Whereof, the undersigned has set her hand this 1st day of August, 2018.

Susan G. Cross

Additional township voters/residents signing on the attached Exhibit B join in this petition.

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

The foregoing instrument was acknowledged before me this 1st day of August, 2018 by Susan G. Cross.

Glenda Marie Houle
Notary Public

GLENDA MARIE HOULE
Notary Public-Minnesota
My Commission Expires Jan 31, 2020

This Petition was Prepared by:
Edward L. Pardee, PA
Attorneys at Law
4856 Banning Avenue
White Bear Lake, MN 55110
Telephone: 651-429-2063

Z:\Realesta\Vacating Roadways\CrossSusan7-25-18.wpd

Susan Cross
5329 Bald Eagle Blvd West

EXHIBIT A

That part of Bald Eagle Boulevard West, formerly known as Lake Avenue or County Road, as platted in the plats of Milner's Lake Add., Town of Bald Eagle and The Eyrie which lies outside of a 66 foot strip of land retained for road purposes, the centerline of which is described as follows:

Commencing at the South Quarter corner of Section 11, Township 30 North, Range 22 West, Ramsey County, Minnesota; thence northerly along the north and south quarter line of said Section 11, having a assumed bearing of North 0 degrees 06 minutes 39 seconds West for 2058.26 feet to the point of beginning; thence South 68 degrees 29 minutes 42 seconds West for 25.63 feet; thence South 78 degrees 51 minutes 31 seconds West for 291.86 feet; thence South 81 degrees 20 minutes 23 seconds West for 362.59 feet; thence North 89 degrees 24 minutes 04 seconds West for 411.28 feet; thence North 86 degrees 43 minutes 14 seconds West for 127.11 feet; thence North 69 degrees 32 minutes 32 seconds West for 228.94 feet; thence North 56 degrees 17 minutes 24 seconds West for 324.10 feet; thence North 32 degrees 18 minutes 35 seconds West for 130.06 feet; thence North 22 degrees 42 minutes 36 seconds West for 113.85 feet; thence North 26 degrees 17 minutes 23 seconds West for 616.74 feet through a point on the east and west quarter line said point being 726.40 feet easterly of the west quarter corner of said Section 11; thence North 28 degrees 07 minutes 28 seconds West for 315.32 feet; thence North 25 degrees 01 minutes 36 seconds West for 252.59 feet to the easterly extension of the northerly line of Lot 7, The Eyrie and there terminating.

Except that part described in Document No. 1249479, and except that part lying southerly of said 66 foot strip adjoining Lots 7 and 8, Block 1, Milner's Lake Add. and adjoining Block 13, Town of Bald Eagle and adjoining Blocks 1 and 2, Bensons Rearrangement of Block Twelve Bald Eagle and adjoining vacated Benson Street and St. Anthony.

Which lies between the northerly line and the southerly line of a 20 foot wide parcel, the center line of which is described as follows:

Commencing at the Southeast corner of Lot 1, Block 2 of said Milner's Lake Addition; thence Northwesterly along the Northeasterly line of said Lot 1, also being the Southwesterly line of said Lake Avenue, a distance of 30 fee to the point of beginning; of the centerline, thence deflecting to the right 87 degrees 36 minutes, 18 seconds to the shoreline of Bald Eagle Lake.

Exhibit B

Susan G. Cross
5329 Bald Eagle Boulevard West

The undersigned residents and voters in White Bear Township join in the attached Petition to Vacate Parts of Bald Eagle Boulevard West.

Signature

ADOLPH DANDA
Printed Name

5325 W. BALD EAGLE BLVD.
Address

Signature

Polly M Dedrick
Printed Name

5335 W Bald Eagle Blvd
Address

Signature

Kevin M. Chandler
Printed Name

5339 W. Bald Eagle Blvd
Address

Signature

CONRAD SOLBERG
Printed Name

5361 W Bald Eagle
Address

(Double Sided Document Exhibit B Page One)

Sandra Espe Sorenson
Signature

Sandra Espe Sorenson
Printed Name

7 Bald Eagle Point
Address

Signature

MICHAEL L. HANNAN
Printed Name

5522 W. BALD EAGLE BLVD
Address

Signature

KATHARINE CHURCHILL
Printed Name

5530 W. BALD EAGLE BLVD.
Address

(Double Sided Document Exhibit B Page Two)

WHITE BEAR TOWNSHIP

Public Notice

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

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

WHITE BEAR TOWNSHIP
1858
RAMSEY COUNTY
MINNESOTA

1281 HAMMOND ROAD
WHITE BEAR TOWNSHIP, MN 55110

651-747-2750
FAX 651-426-2258
Email: wbt@whitebeartownship.org

August 14, 2018

Commissioner Tom Landwehr
MN DNR
500 Lafayette Road
St. Paul, Minnesota 55055-4040

Re: Vacation of Excess Right-of-Way
5329 West Bald Eagle Boulevard

Certified Mail/Return Receipt

Dear Commission Landwehr:

Enclosed please find the following documents:

- Notice of Hearing to Vacate Excess Right-of-Way in the Town of White Bear, Ramsey County, Minnesota;
- Petition to Vacate Excess Right-of-Way in the Town of White Bear, Ramsey County, Minnesota; and
- Draft Resolution Vacating Excess Right-of-Way on West Bald Eagle Boulevard.

Please note that the Public Hearing on this matter has been scheduled for Monday, October 15, 2018 @ 7:00 p.m. at Heritage Hall, 4200 Otter Lake Road, White Bear Township, Minnesota 55110.

Sincerely,

Patti Walstad
Paralegal

PSW/s
Encls.
cc:admin/add.file
cc:Ed Pardee

recycled paper

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

WHITE BEAR TOWNSHIP
1858
RAMSEY COUNTY
MINNESOTA

1281 HAMMOND ROAD
WHITE BEAR TOWNSHIP, MN 55110

651-747-2750
FAX 651-426-2258
Email: wbt@whitebeartownship.org

October 3, 2018

Susan Cross
5329 West Bald Eagle Boulevard
White Bear Township, Minnesota 55110

Re: Vacation of Excess Right-of-Way

Dear Ms. Cross:

Enclosed for your information please find a **Notice of Hearing to Vacate Excess Right-of-Way in the Town of White Bear, Ramsey County, Minnesota** concerning your property at 5329 West Bald Eagle Boulevard.

You will note that the Public Hearing has been scheduled for **Monday, October 15, 2018 @ 7:00 p.m. at Heritage Hall, 4200 Otter Lake Road, White Bear Township, Minnesota**.

Also enclosed is a copy of a "draft" Resolution which will be considered for adoption the night of the hearing.

Sincerely,

Patti Walstad
Paralegal

PSW/s
Encls.
cc: Ed Pardee;
admin/add.file

recycled paper

CERTIFICATE OF SURVEY

LANDMARK SURVEYING INC.

21100 Olinda Trail North - P.O. Box 37
Scandia, Minnesota 55073

LaVayne R. Dupslaff
Licensed Surveyor

Telephone
433-3421

Call for inspection before pouring cement for posts

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

LaVayne R. Dupslaff License No. 12660 Date: 27 JULY 1987

REVISED 11-10-87

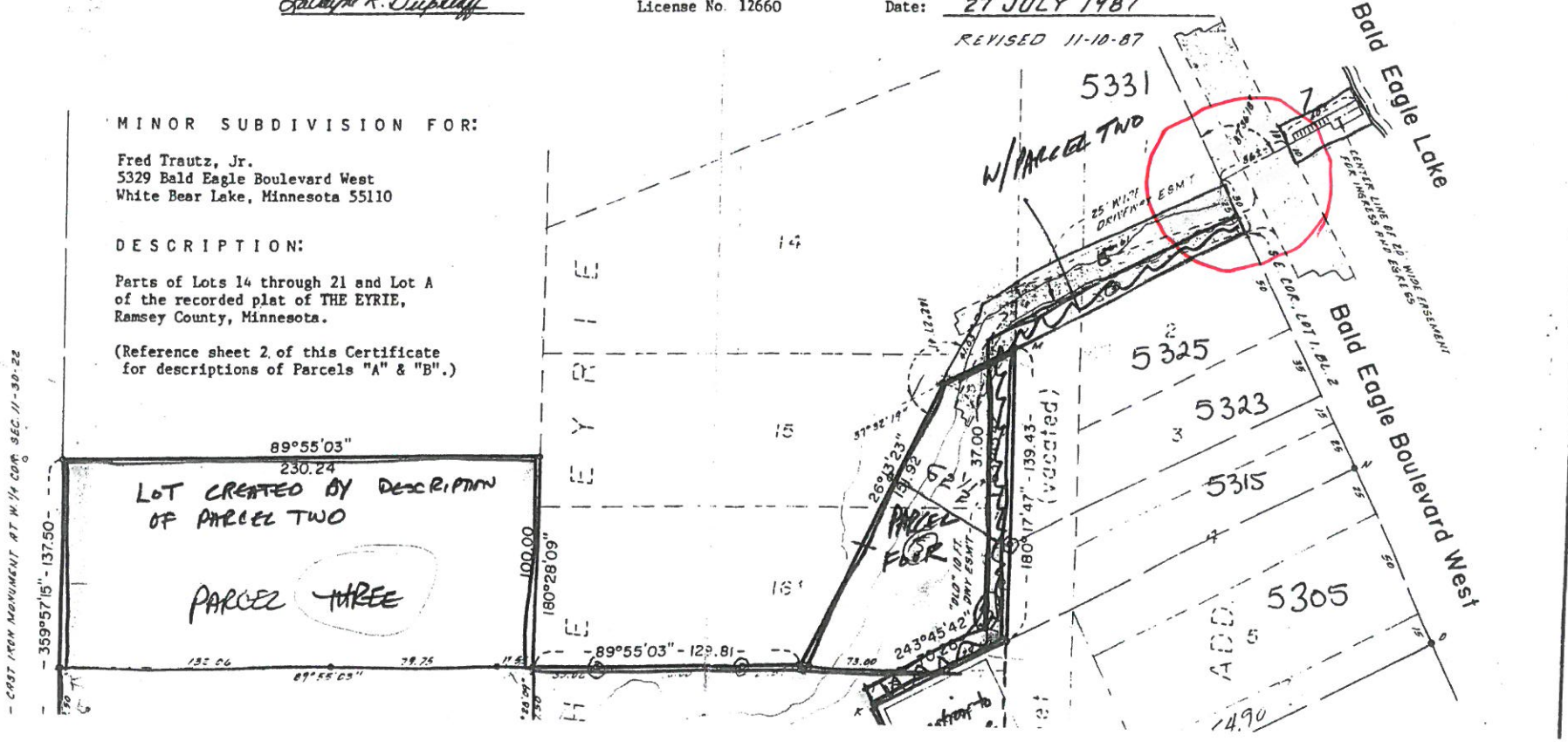
MINOR SUBDIVISION FOR:

Fred Trautz, Jr.
5329 Bald Eagle Boulevard West
White Bear Lake, Minnesota 55110

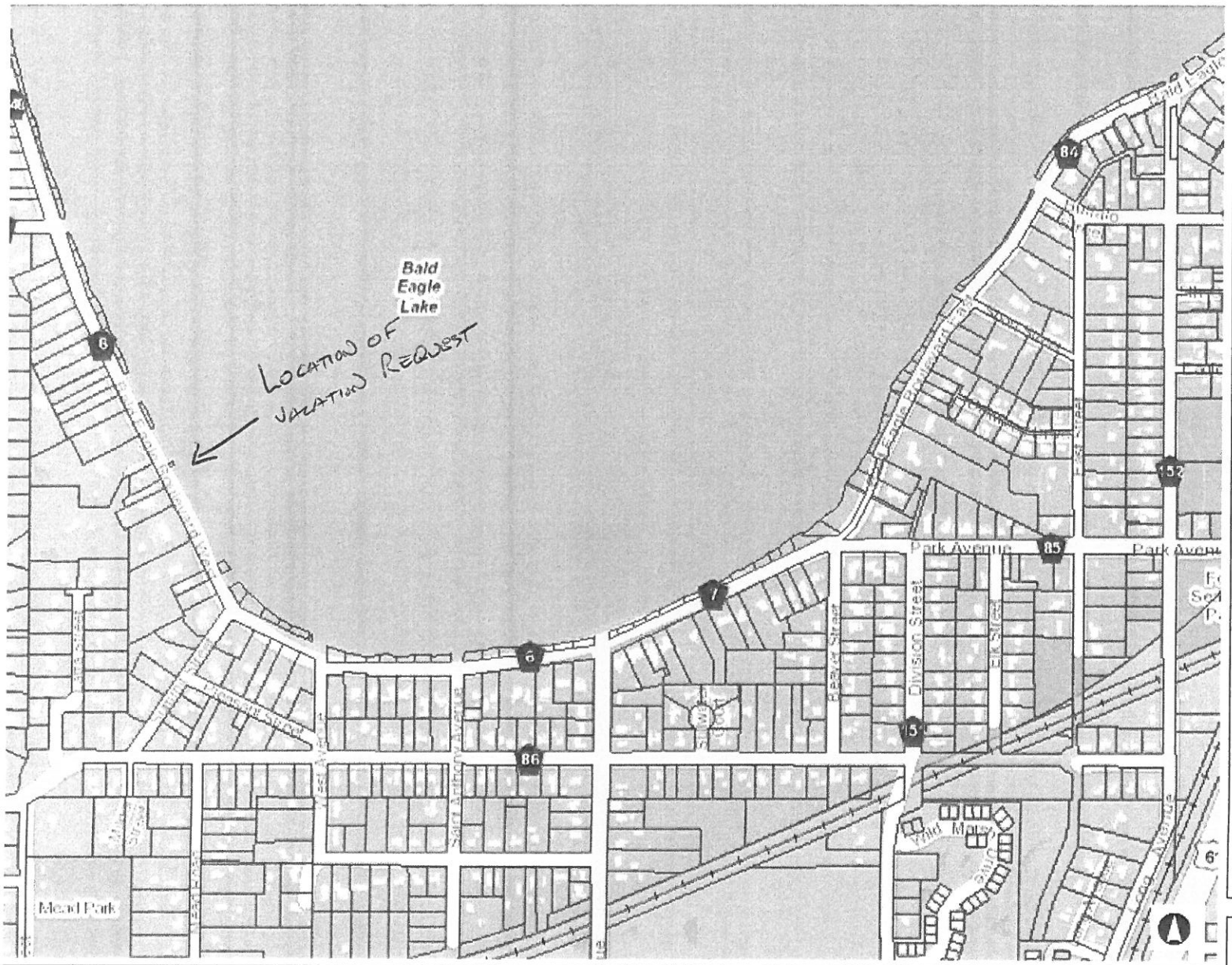
DESCRIPTION:

Parts of Lots 14 through 21 and Lot A of the recorded plat of THE EYRIE, Ramsey County, Minnesota.

(Reference sheet 2 of this Certificate for descriptions of Parcels "A" & "B".)



MapRamsey



1,333.3 0 666.67 1,333.3 Feet

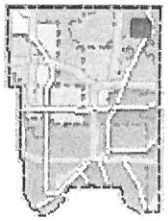
NAD_1983_HARN_Adj_MN_Ramsey_Feet

© Ramsey County Enterprise GIS Division

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Legend



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

Notes

Enter Map Description

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Carter Johnson, being first duly sworn, on oath states as follows:

1. I am the publisher of the WHITE BEAR PRESS, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant of Minnesota Statutes §331A.07.

2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.

3. The dates of the month and the year and day of the week upon which the public notice attached was published in the newspaper are as follows:

   Once a week, for two successive weeks: it was first published on Wednesday, the 19th day of September, 2018 and was thereafter printed and published on every Wednesday to and including Wednesday, the 26th day of September, 2018.

4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to §331A.06, is as follows:

   a) Lowest classified rate paid by commercial users for comparable space _____

   b) Maximum rate allowed by law for the above matter _____

   c) Rate actually charged for the above matter $ 16.55/inch

5. Mortgage Foreclosure Notices. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in Ramsey County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

FURTHER YOUR AFFIANT SAITH NOT.

BY:
TITLE: Carter Johnson, Publisher

Subscribed and sworn to before me on this 26th day of September, 2018.

Myrna L. Press
Notary Public

MYRNA L. PRESS
Notary Public-Minnesota
My Commission Expires Jan 31, 2020

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.

STATE OF MINNESOTA)
) ss. CERTIFICATE OF POSTING
COUNTY OF RAMSEY)

WILLIAM F. SHORT, being first duly sworn, deposes and says: That he is the duly qualified and acting Clerk of the Town of White Bear, Ramsey County, Minnesota; that on the 3rd day of October, 2018, he posted the attached Notice in four (4) conspicuous places in the Town of White Bear, Minnesota; and that said Notice remained so posted for a period of at least two (2) weeks and until after October 15, 2018.

WILLIAM F. SHORT, Clerk-Treasurer

Subscribed & sworn to before me
this 3rd day of October, 2018.

Notary Public, Ramsey Cty., Minn.

PATTI S. WALSTAD
Notary Public-Minnesota
My Commission Expires Jan 31, 2022

EXTRACT OF MINUTES OF A MEETING OF THE TOWN BOARD OF THE TOWN OF WHITE BEAR, MINNESOTA, HELD ON OCTOBER 15, 2018

Pursuant to due call and notice thereof, a Special meeting of the Town Board of the Town of White Bear, Minnesota, was duly held at Heritage Hall in said Town on October 15, 2018 at 7:00 p.m.

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

Supervisor Prudhon introduced the following Resolution and moved its adoption:

RESOLUTION VACATING EXCESS RIGHT-OF-WAY ON WEST BALD EAGLE BOULEVARD

WHEREAS, located within the boundaries of the Town of White Bear are plats of Milner's Lake Add., Town of Bald Eagle and The Eyrie. That dedicated on said plat is a public right-of-way known as Bald Eagle Boulevard West;

AND WHEREAS, Susan G. Cross has petitioned for partial vacation of said Bald Eagle Boulevard and the Town, after due investigation, has determined that partial vacation of said right-of-way would not adversely affect the interests of the Town subject to the retention of certain easements and restrictions on use of the vacated right-of-way.

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

That the portion of Bald Eagle Boulevard West described in Exhibit A attached hereto shall be vacated and all public easements terminated subject to the following conditions:

1. Payment by the Petitioner to the Town of White Bear the sum of $1,000.00.

2. That no permanent structure shall be placed within the vacated right-of-way unless a building permit is issued and there shall be no permanent changes to the topography of the right-of-way as it exists at the time of this Resolution.

DRAFT

3. The Town of White Bear reserves an easement construction, maintenance, repair and replacement of drainage facilities and a bicycle/pedestrian pathway.

The motion for the adoption of the foregoing Resolution was duly seconded by Supervisor Ruzek, 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 Special Meeting of the Town Board of the said Town held on the 15th 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 a Resolution relating to vacation of excess right-of-way on West Bald Eagle Boulevard.

WITNESS my hand as such Clerk and the Town Clerk's Seal this 15th day of October, 2018.

_____
TOWN CLERK, TOWN OF WHITE BEAR, MINN.

DRAFT

Town Board Meeting
October 15, 2018

Agenda Number: **7B – Public Hearing**

Subject: **Improvement 2018-3 - Centerville Road Roadway Improvements** - Assessment Hearing

Documentation:
Assessment Notice Information Sheet & Notice of Hearing on Assessments Sent to Cub /
Amortization Schedule /
Affidavit of Publication / Certificate of Posting /
Erin Laberee E-mail w/attachments
Proposed Resolution Adopting & Confirming Assessments for Improvement 2018-3

Note: Appraisal Info Bound Separately

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

Based on Staff Review & Recommendation Adopt the **Resolution Adopting & Conforming Assessments for Improvement 2018-3**

Prudhon – Moved **Ruzek - Seconds**

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

WHITE BEAR TOWNSHIP
1858
RAMSEY COUNTY
MINNESOTA

1281 HAMMOND ROAD
WHITE BEAR TOWNSHIP, MN 55110

651-747-2750
FAX 651-426-2258
Email: wbt@whitebeartownship.org

ASSESSMENT NOTICE INFORMATION

Public Hearing:

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

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

Property I.D. Number:

16.30.22.34.0031

Owner Name/Address:

JMK Partnership
Attn: Deb Kowalski
8505 Valley Creek Road
Woodbury, Minnesota 55125

Cub Foods
1059 Meadowlands Drive
White Bear Township, Minnesota 55127

Improvement Project:

IMPROVEMENT 2018-3 – CENTERVILLE ROAD IMPROVEMENTS

Assessment Amount:

$ 75,000.00

Interest Rate:

3.8%

Term:

Ten (10) Years

recycled paper

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

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

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

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

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

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

Payment Form

Name / Address: _____

_____

_____

Parcel I.D. #: _____

Amount Paid: $_____

(Make checks payable to "White Bear Township"

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

Payment Must Be Received No Later than

November 15, 2018, to be Paid Without Interest

NOTICE OF HEARING ON ASSESSMENTS FOR IMPROVEMENT 2018-3

NOTICE IS HEREBY GIVEN, That the Town Board of the Town of White Bear, Minnesota, will meet at Heritage Hall, 4200 Otter Lake Road, in the Town of White Bear, Minnesota, at 7:00 p.m. on Monday, October 15, 2018, to hear and pass upon objections, if any, to the proposed assessment in respect of Improvement 2018-3. A reasonable estimate of the impact of the assessments will be available at the hearing.

The proposed assessment roll is now on file and open to public inspection by all interested persons in the office of the Town Clerk. Each of these assessments will be payable, unless prepared, in ten equal, annual consecutive installments, the first such installment will be payable with the general taxes payable in the year 2019, collectable with such taxes during the year 2019. The first installment will be payable with interest at the rate of 3.8% per annum on the entire assessment from October 15, 2018 to December 31, 2019, and each subsequent installment will be payable with one year's interest at said rate on all unpaid installments.

The general nature of the improvement is set forth as follows: improvements to Centerville Road north of County Road 96, including street re-construction and appurtenances thereto.

The total amount to be assessed is $75,000.00.

An owner may appeal an assessment to the District Court pursuant to Section 429.081 of Minnesota Statutes, by serving Notice of the appeal upon the Chair of the Town Board or the Clerk of the Town within thirty (30) days after the adoption of the assessment and filing such notice with the Clerk of the District Court within ten (10) days after service upon the Town Board Chair or Town Clerk providing a written objection signed by the affected property owner is filed with the municipal clerk prior to the assessment hearing or presented to the presiding officer at the hearing. Sections 435.193 to 435.195 provide that a Town making a special assessment may, at its discretion, defer the payment of that special assessment for any homestead property owner by a person 65 years of age or older from whom it would be a hardship to make the payments.

The Town of White Bear has elected to defer some special assessments and has adopted Ordinance No. 53 establishing the standards and guidelines.

Dated: September 5, 2018

BY ORDER OF THE TOWN BOARD OF SUPERVISORS

WILLIAM F. SHORT, Clerk-Treasurer

PROJECT 2018-3 Centerville Road Improvements

Auditor # 97-18170045 Interest Rate 3.80%

16.30.22.34.0031

Year	Principal	Interest	Prepaid	Balance	
2019				75,000.00	
2020	7,500.00	3,325.00		67,500.00	(1st Yr includes 14 months
2021	7,500.00	2,565.00		60,000.00	of interest)
2022	7,500.00	2,280.00		52,500.00	
2023	7,500.00	1,995.00		45,000.00	
2024	7,500.00	1,710.00		37,500.00	
2025	7,500.00	1,425.00		30,000.00	
2026	7,500.00	1,140.00		22,500.00	
2027	7,500.00	855.00		15,000.00	
2028	7,500.00	570.00		7,500.00	
2029	7,500.00	285.00		0.00	
	75,000.00				

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Carter Johnson, being first duly sworn, on oath states as follows:

1. I am the publisher of the WHITE BEAR PRESS, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant of Minnesota Statutes §331A.07.

2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.

3. The dates of the month and the year and day of the week upon which the public notice attached was published in the newspaper are as follows:

   Once a week, for one week, it was published on Wednesday, the 26th day of September, 2018.

4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to §331A.06, is as follows:

   a) Lowest classified rate paid by commercial users for comparable space _____

   b) Maximum rate allowed by law for the above matter _____

   c) Rate actually charged for the above matter $ 16.55/inch

5. Mortgage Foreclosure Notices. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in Ramsey County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

FURTHER YOUR AFFIANT SAITH NOT.

BY: _____
TITLE: Carter Johnson, Publisher

Subscribed and sworn to before me on this 26th day of September, 2018.

Myrna L. Press
Notary Public

MYRNA L. PRESS
Notary Public-Minnesota
My Commission Expires Jan 31, 2020

WHITE BEAR TOWNSHIP
NOTICE OF HEARING ON ASSESSMENTS FOR IMPROVEMENT 2018-3

NOTICE IS HEREBY GIVEN, That the Town Board of the Town of Whit Bear, Minnesota, will meet at Heritage Hall, 4200 Otter Lake Road, in the Tow of White Bear, Minnesota, at 7:00 p.m. on Monday, October 15, 2018, to hea and pass upon objections, if any, to the proposed assessment in respect o Improvement 2018-3. A reasonable estimate of the impact of the assessment will be available at the hearing.

The proposed assessment roll is now on file and open to public inspectio by all interested persons in the office of the Town Clerk. Each of these as sessments will be payable, unless prepared, in ten equal, annual consecutive installments, the first such installment will be payable with the general taxes payable in the year 2019, collectable with such taxes during the year 2019 The first installment will be payable with interest at the rate of 3.8% per annum on the entire assessment from October 15, 2018 to December 31, 2019, and each subsequent installment will be payable with one year's interest at said rate on all unpaid installments.

The general nature of the improvement is set forth as follows: improvements to Centerville Road north of County Road 96, including street re-construction and appurtenances thereto.

The total amount to be assessed is $75,000.00.

An owner may appeal an assessment to the District Court pursuant to Section 429.081 of Minnesota Statutes, by serving Notice of the appeal upon the Chair of the Town Board or the Clerk of the Town within thirty (30) days after the adoption of the assessment and filing such notice with the Clerk of the District Court within ten (10) days after service upon the Town Board Chair or Town Clerk providing a written objection signed by the affected property owner is filed with the municipal clerk prior to the assessment hearing or presented to the presiding officer at the hearing. Sections 435.193 to 435.195 provide that a Town making a special assessment may, at its discretion, defer the payment of that special assessment for any homestead property owner by a person 65 years of age or older from whom it would be a hardship to make the payments.

The Town of White Bear has elected to defer some special assessments and has adopted Ordinance No. 53 establishing the standards and guidelines.

Dated: September 5, 2018
BY ORDER OF THE TOWN BOARD OF SUPERVISORS
WILLIAM F. SHORT, Clerk-Treasurer
Published one time in the White Bear Press on September 26, 2018.

CLERK'S CERTIFICATE OF MAILING OF NOTICE OF HEARING ON ASSESSMENTS

The undersigned, the duly qualified and acting Clerk of the Town of White Bear, Minnesota, does hereby certify, that on the 1st day of October, 2018, (being two weeks or more before the hearing on said assessments), he gave mailed Notice of Hearing on Assessments, (a true and correct copy of which is attached hereto as Exhibit A), of the following described improvement, to-wit:

The general nature of the improvements are the improvements to Centerville Road including street re-construction and appurtenances thereto on Centerville Road located in Section 16, Township 30, Range 22, all in Ramsey County, Minnesota,

(Improvement 2018-3)

to the owners of each parcel of land within the area proposed to be assessed.

For the purpose of giving mailed notice, the undersigned secured from the County Treasurer a list of names of the property owners within the area proposed to be assessed as shown by the records of said Treasurer. Mailed notice of hearing on said assessment was given on the same date to the following property owners within the area proposed to be assessed whose names are not listed on the records of the County Treasurer.

(Here list the names of the railroad, county, school district, church or other property owner whose name is not on the tax lists of the County.)

1.
2.

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

WILLIAM F. SHORT, Clerk-Treasurer

Bill Short

From: Laberee, Erin <Erin.Laberee@CO.RAMSEY.MN.US>
Sent: Wednesday, October 10, 2018 11:18 AM
To: Bill Short
Subject: Cub Traffic
Attachments: Lunds and Byerlys Memo_102517_DRAFT.PDF

Hi Bill,

I've attached the traffic memo that was done by Alliant discussing the traffic warrants for a signal. Please see page 3 and 4. It discusses that Cub is currently contributing traffic to the intersection and meets warrants for a traffic signal without the Lunds Byerlys addition. Signal warrants consider traffic from all legs of the intersection. Cub is contributing traffic to the intersection which creates enough traffic to warrant the signal.

I will be out of town on the 15th and won't be able to attend the meeting. I'd be happy to discuss with you further if you'd like.

Thanks,

Erin

Erin Laberee, P.E.

Ramsey County Public Works
1425 Paul Kirkwold Drive
Arden Hills, MN 55112

Erin.laberee@co.ramsey.mn.us
p. 651.266-7105

ALLIANT
ENGINEERING

MEMORANDUM

DATE: October 27, 2017

TO: John Johannson
Welsh Companies/Colliers International

FROM: Robert J. Green, P.E., PTOE
Hannah Johnson

SUBJECT: **Tower Crossings Phase II - Traffic Impact Study Update**

Division 25, LLC proposes the development of a parcel of land in the City of White Bear Lake, Ramsey County. A traffic study was prepared in 2015 for Phase I of the development and included an estimate of Phase II conditions. A Phase II traffic study (January 19, 2017) built off the Phase I study to account for updates to the plan, including an anticipated large grocery store.

The current site plan includes a 46,975 SF grocery store, which is significantly smaller than the grocery store and other development studied in the Phase II traffic study. This memorandum compares the amount of traffic generated by the current plan to the development proposed in the Phase II traffic study. This memo also includes a discussion of the signal warrant analysis as it pertains to the currently proposed development. The Phase II report from January 2017 is attached as **Appendix A**.

Site Plan and Centerville Lane Geometry

Phase I of the development consisted of a 113-unit senior living facility. Construction of this facility is complete. Analysis for the Phase II report (**Appendix A**) was done anticipating a 67,500 SF grocery store that included a 3,500 SF restaurant. It was also proposed that the 6,300 SF fitness center currently in operation be replaced by a 4,000 SF fitness center. In addition, a circulation road between Walgreens and McDonalds was to be constructed. The new proposed development consists of a 46,795 SF grocery store. The fitness center will no longer be affected by the development, but the circulation road remains as part of the proposal. See **Figure 1** for the updated site plan.

Southbound traffic on Centerville Road at C.S.A.H. 96 tends to get backed up during peak hours, disrupting traffic on Meadowlands Drive. Growing traffic congestion at this intersection is a potential safety problem, and an area of concern for both the City, County, and Township. To address these concerns, changes in lane geometry were developed to improve safety and traffic flow on Centerville Road through the Meadowlands Drive intersection. The proposed modifications prohibit northbound and southbound left turns from

Centerville to Meadowlands, and the westbound left turn from Meadowlands to Centerville. The alternative does allow eastbound left turns onto Centerville Road, as shown in **Figure 2.**

Site-Generated Traffic

The volume of vehicle trips generated by the proposed development has been estimated for the weekday peak hours using the data and methodologies contained in the ***Trip Generation Manual***[1]. Estimated site generated traffic is detailed in **Table 1**.

Table 1. Trip Generation Estimates

Land Use (ITE Code)	Units	Size	AM Peak Hour Trips				Midday Peak Hour Trips				PM Peak Hour Trips				Daily Trips	
			Rate	Trips In	Trips Out	Total Trips	Rate	Trips In	Trips Out	Total Trips	Rate	Trips In	Trips Out	Total Trips	Rate	Total Trips
Assisted Living (254)	Beds	113	0.14	11	6	17	0.35	19	21	40	0.22	11	14	25	2.66	301
Supermarket (850)	SF	46,795	3.40	99	61	160	8.37	204	189	393	9.48	227	218	445	102.24	4,785
Gross Total trips				110	67	177		223	210	433		238	232	470		5,086
Pass-By Trips[2.]			*25%*	*-25*	*-16*	*-40*	*25%*	*-51*	*-48*	*-99*	*25%*	*-57*	*-55*	*-112*	*25%*	*-1,197*
Diverting Trips[3.]			*25%*	*-25*	*-16*	*-40*	*25%*	*-51*	*-48*	*-99*	*25%*	*-57*	*-55*	*-112*	*25%*	*-1,197*
Net Total Trips				**60**	**35**	**97**		**121**	**114**	**235**		**124**	**122**	**246**		**2,692**

1. Per the Institute of Transportation Engineers (ITE) Trip Generation Manual, 9th Edition.
2. Supermarket pass-by is 25% of the total trips for the PM peak hour per the ITE Trip Generation Handbook, 2nd Edition.
3. Supermarket diverted trips is 25% of the total trips for the PM peak hour per the ITE Trip Generation Handbook, 2nd Edition.

The proposed development is estimated to add 97 AM Peak hour, 235 MID Peak hour, and 246 PM Peak hour new trips to the surrounding roadway network. Pass-by and diverted trips were considered in the analysis. Pass-by trips are trips that are attracted to the site from existing traffic already passing on Centerville Road, while diverted trips are trips that are attracted to the site from existing traffic already passing on C.S.A.H. 96. The pass-by and diverted trip percentages were estimated using data contained in the ***Trip Generation Handbook***[2]. A pass-by percentage of 25% and diverted trip percentage of 25% were used for the supermarket.

The currently proposed site plan results in significantly lower generated trips than the previous plan. This reduction is shown in **Table 2**.

Table 2. Trip Generation Comparison

	AM Peak Hour Trips			Midday Peak Hour Trips			PM Peak Hour Trips			Daily Trips
	Trips In	Trips Out	Total Trips	Trips In	Trips Out	Total Trips	Trips In	Trips Out	Total Trips	Total Trips
Gross Total (Previous Proposal)	166	104	270	332	309	641	348	334	682	7,439
Gross Total (Current Proposal)	110	67	177	223	210	433	238	232	470	5,086
Total Decrease	**56**	**37**	**93**	**109**	**99**	**208**	**110**	**102**	**212**	**2,353**
% Decrease	**34%**	**36%**	**34%**	**33%**	**32%**	**32%**	**32%**	**31%**	**31%**	**32%**
Net Total (Previous Proposal)	108	46	154	190	167	357	186	172	360	3,987
Net Total (Current Proposal)	60	35	97	121	114	235	124	122	246	2,692
Total Decrease	**48**	**11**	**57**	**69**	**53**	**122**	**62**	**50**	**114**	**1,295**
% Decrease	**44%**	**24%**	**37%**	**36%**	**32%**	**34%**	**33%**	**29%**	**32%**	**32%**

[1] Trip Generation Manual, Institute of Transportation Engineers, 9th Edition.
[2] Trip Generation Handbook, Institute of Transportation Engineers, 2nd Edition.

Trip Distribution
The distribution of the site-generated traffic was estimated based on review of existing traffic volumes and patterns, and closely resembles that of the previous analysis for the Right-In/Right-Out alternative. The trip distribution percentages were applied to the estimated site-generated traffic volumes resulting in the trip assignment volumes (the addition of new trips at each study area intersection and access location). **Figure 3** illustrates the total 2017 Build traffic volume, with the proposed geometry changes.

Forecast Traffic Volumes
An analysis of past data was used to predict growth for Centerville Road and C.S.A.H. 96. Based on data from the years 2000-2015, it was determined that the segment of Centerville Road in consideration has been growing at a rate of 1.20%, and that the segment of C.S.A.H. 96 in consideration has been growing at a rate of 0.64%. These values were used to extrapolate data for the year 2022. It was assumed that the traffic generated by the new development will not change during this time period. The anticipated distributions of future growth, considering the proposed road geometry changes, is shown in **Figure 4** illustrates the anticipated distributions of future growth, considering the proposed road geometry changes.

Signal Warrant Analysis
To determine whether a signal is needed, a traffic signal warrant analysis is completed by interpreting the traffic conditions, pedestrian issues, and physical characteristics of the intersection. A traffic signal warrant analysis was done at the intersection of Centerville Road and the entrance to Cub Foods and the new development. The warrant analysis was conducted in accordance with the *Minnesota Manual on Uniform Traffic Control Devices (MMUTCD)*[3]. The following are the eight MMUTCD traffic signal warrants:

- Warrant 1 – Eight Hour Vehicle Volume
- Warrant 2 – Four-hour Vehicle Volume
- Warrant 3 – Peak Hour Volume
- Warrant 4 – Pedestrian Volume
- Warrant 5 – School Crossing
- Warrant 6 – Coordinated Signal System
- Warrant 7 – Crash Experience
- Warrant 8 – Roadway Network

Data was only obtained for the peak hours, so Warrant 3 was reviewed using existing 2015 volumes and forecasted build volumes. Warrants 4, 5, and 8 do not apply to this intersection, and the requirements of Warrants 6 and 7 are not met.

The existing traffic volumes at the Centerville Road/Cub Foods entrance intersection were compared to the Peak Hour volume warrant. The following assumptions were made:

- The proposed development is not built
- One through lane in each direction of Centerville Road (northbound left turn volume was discounted)
- Cub Foods Drive is one lane

The intersection meets the Peak Hour warrant for signalization under current conditions without the proposed development, as shown in **Figure 5**. The addition of site generated traffic further confirms that a signal is warranted at the intersection, as illustrated in **Figure 6.**

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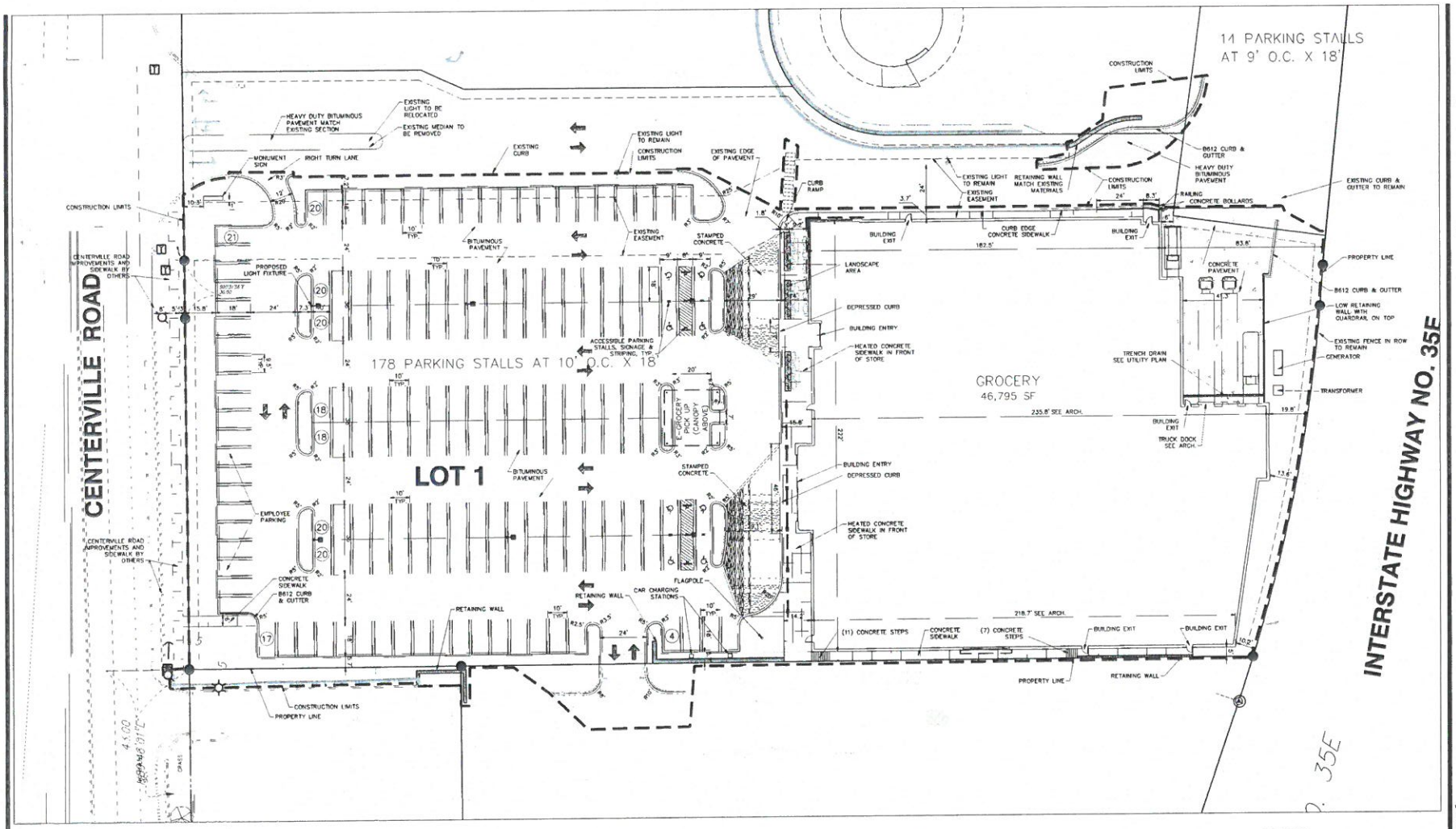
[3] Minnesota Manual on Uniform Traffic Control Devices, December 2011.

Conclusions

- The proposed development is expected to generate 470 driveway trips during the PM Peak hour, and nearly 5,100 driveway trips daily. In the 2016 analysis, 682 PM Peak driveway trips and 7,500 daily driveway trips were expected.
- The proposed development is expected to have less of an impact on surrounding traffic as compared to the most recent estimate. However, the recommended roadway improvements from the previous study still apply.
- With the proposed improvements, all of the study intersections are expected to operate at an acceptable level of service, and better than documented in the previous study.
- The intersection of Centerville Road and the Cub Foods/proposed development intersection meets the peak hour volume requirements for signalization under existing conditions. The addition of the proposed site traffic further demonstrates the need for a traffic signal.
- A traffic signal at this location will include pedestrian signals to allow pedestrians to cross Centerville Road safely.



NOTES

1. DIMENSIONS ARE TO TOP FACE OF CURB, EDGE OF SIDEWALK OR EXTERIOR OF BUILDING UNLESS OTHERWISE NOTED. REFER TO ARCHITECTURAL DRAWINGS FOR BUILDING DIMENSIONS AND SPECIFICATION FOR LOCATION OF EXITS, RAMPS, CONCRETE APRONS AND STOOPS.
3. ALL CONCRETE CURB AND GUTTER ADJACENT TO CONCRETE WALK BE SEPARATED BY A 1/2 INCH EXPANSION JOINT.
4. ALL STRIPING SHALL BE 4 INCH WHITE PAVEMENT STRIPING, PER GOVERNING AGENCY STANDARDS.
5. ALL WORK WITHIN THE R.O.W. SHALL COMPLY WITH THE CITY OF WHITE BEAR LAKE ENGINEERING DESIGN STANDARDS.
7. ALL CURB AND GUTTER TO BE CONCRETE B612 CURB UNLESS NOTED OTHERWISE, PER CITY STANDARDS.
8. CONTINUOUS CONCRETE CUR & GUTTER WHICH CHANGES TYPE SHALL HAVE A FIVE FOOT TRANSITION.
9. BITUMINOUS PAVEMENT SECTION DESIGN TO BE IN ACCORDANCE WITH LOCAL CONSTRUCTION STANDARDS. REFER TO GEOTECHNICAL REPORT AND DETAIL SHEET.
10. CONTRACTOR SHALL FIELD VERIFY THE LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES AND TOPOGRAPHIC FEATURES, SUCH AS EXISTING GUTTER GRADES AT THE PROPOSED DRIVEWAYS, PRIOR TO THE START OF SITE GRADING. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF ANY DISCREPANCIES OR VARIATIONS FROM THE PLANS.
11. ACCESSIBLE ROUTE SHALL BE PROVIDED FROM ACCESSIBLE STALLS TO BUILDING ENTRANCE. (SEE MN ACCESSIBILITY CODE). POLE MOUNT APPROVED SIGNS, ONE VAN ACCESSIBLE, CENTER ON STALL, LOCATION PER GENERAL CONTRACTOR PAINT INTERNATIONAL SYMBOL OF ACCESSIBILITY WHITE ON BLUE BACKGROUND. S.C. TO ENSURE SLOPE OF PAVEMENT AT ACCESSIBLE PARKING STALLS & ACCESS AISLE DOES NOT EXCEED 2% IN ALL DIRECTIONS.
12. REFER TO LIGHTING PLAN FOR LIGHT LOCATIONS, FOOTCANDLE PRINT OUT AND SPECIFICATIONS. FOUNDATION BY CONTRACTOR. CONTRACTOR TO FIELD VERIFY LOCATION OF PROPOSED LIGHT POLE WITH OWNER & G.C. AND THAT THERE ARE NO CONFLICTS WITH EXISTING & PROPOSED UTILITIES.
13. INCLUDE VALLEY GUTTER AT DRIVEWAY ENTRANCES PER CITY STANDARD.
14. CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE AND INSTALL TRENCHING AND PVC SLEEVING UNDER ANY PAVEMENT AS REQUIRED FOR IRRIGATION, LIGHTING, SIGNS ETC. AS NEEDED PRIOR TO PAVING.

LEGEND

- B612 CURB AND GUTTER
- LIMITS OF CONSTRUCTION
- PROPOSED PROPERTY LINE
- PROPOSED RIGHT-OF-WAY
- PROPOSED SETBACKS
- PROPOSED EASEMENTS
- LUMINAIRE, 23' MOUNTING HEIGHT
- DIRECTION OF TRAFFIC
- CONCRETE PAVEMENT
- RETAINING WALL
- PROPOSED LUMINARIES

Know what's below. Call before you dig. Dial 811

NOT FOR CONSTRUCTION PRELIMINARY NOT FOR CONSTRUCTION

SCALE IN FEET 0 10 20 40

L&B

ALLIANT ENGINEERING
233 Park Ave S, Ste 300
Minneapolis, MN 55415
612.758.3080 MAIN
612.758.3099 FAX
www.alliant-inc.com

LUNDS & BYERLYS
4630-4630 CENTERVILLE ROAD
WHITE BEAR LAKE, MN 55110

PUD AMENDMENT SUBMITTAL

SITE PLAN

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed PROFESSIONAL ENGINEER under the laws of the State of MINNESOTA

CLARK WICKLUND, PE
Date License No.

QUALITY ASSURANCE/CONTROL

BY	DATE

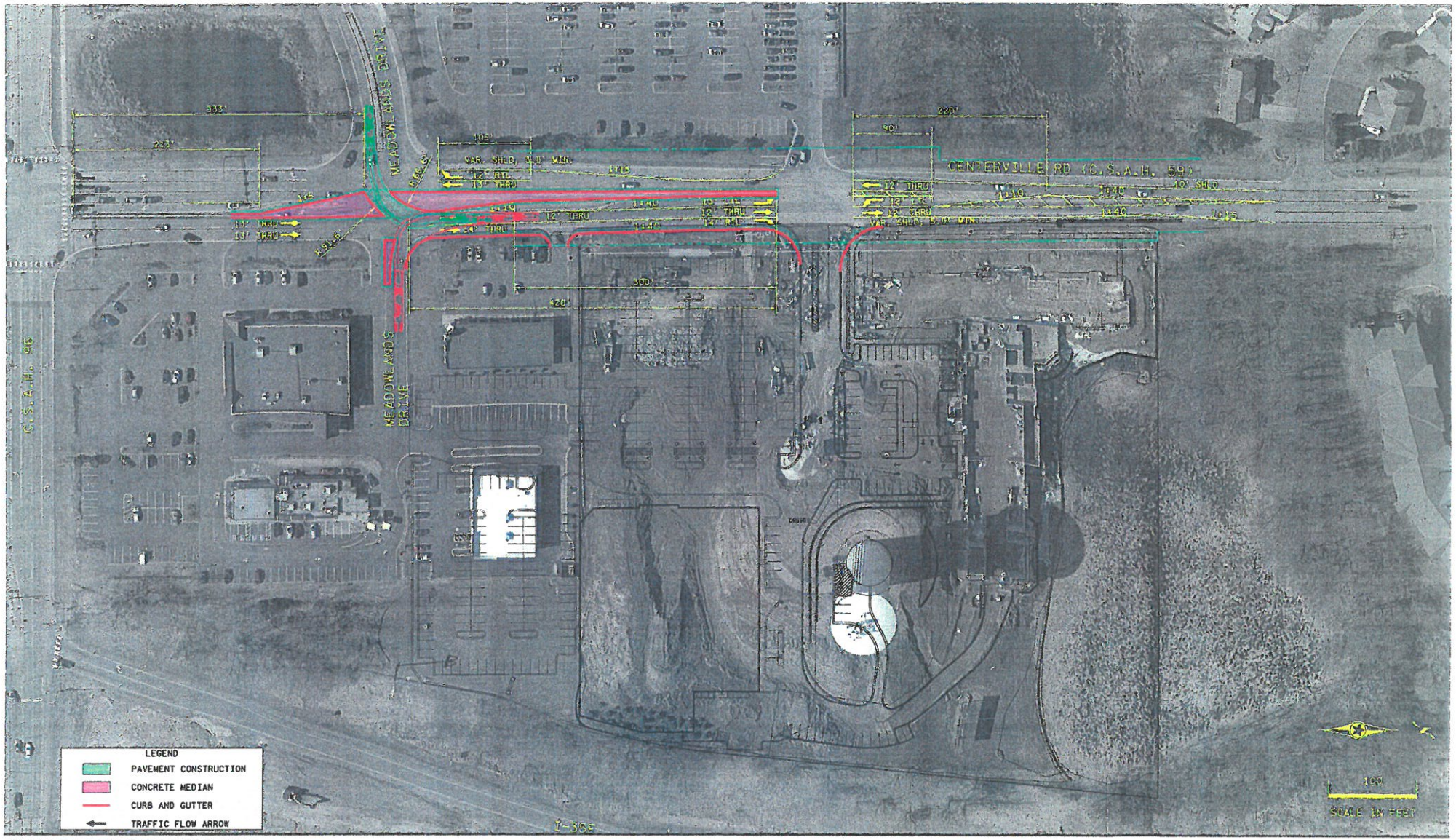
DATE	ISSUE
9-6-17	CLIENT REVIEW
9-26-17	CLIENT REVIEW
10-3-17	CLIENT REVIEW
10-6-17	CLIENT REVIEW
10-10-17	CLIENT REVIEW
10-12-17	PROGRESS SET
10-25-17	PROGRESS SET

PROJECT TEAM DATA
DESIGNED: MK
DRAWN: EMK
PROJECT NO: 213-0033.3

C-2.0

Figure 01. Site Plan

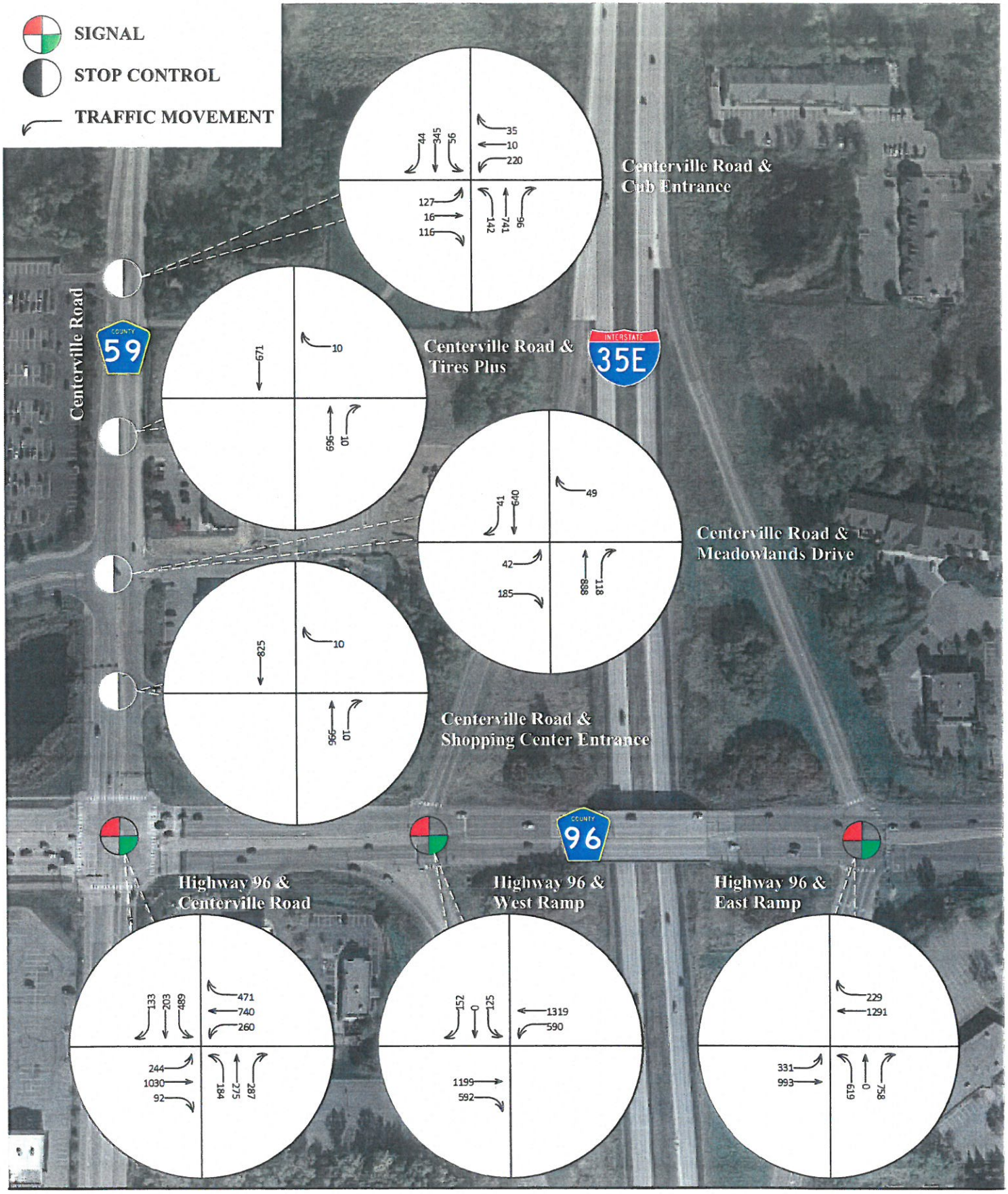
Drawing name: X:\2015\15003\3\plan sheets\Lunds\15003\3\Site.dwg Oct 23, 2017 - 11:10am



White Bear Lake Development Traffic Study

ALLIANT ENGINEERING

Figure 02
Northbound Auxiliary Lane Extension and Meadowlands Drive EB LT Out



White Bear Lake Development Traffic Study

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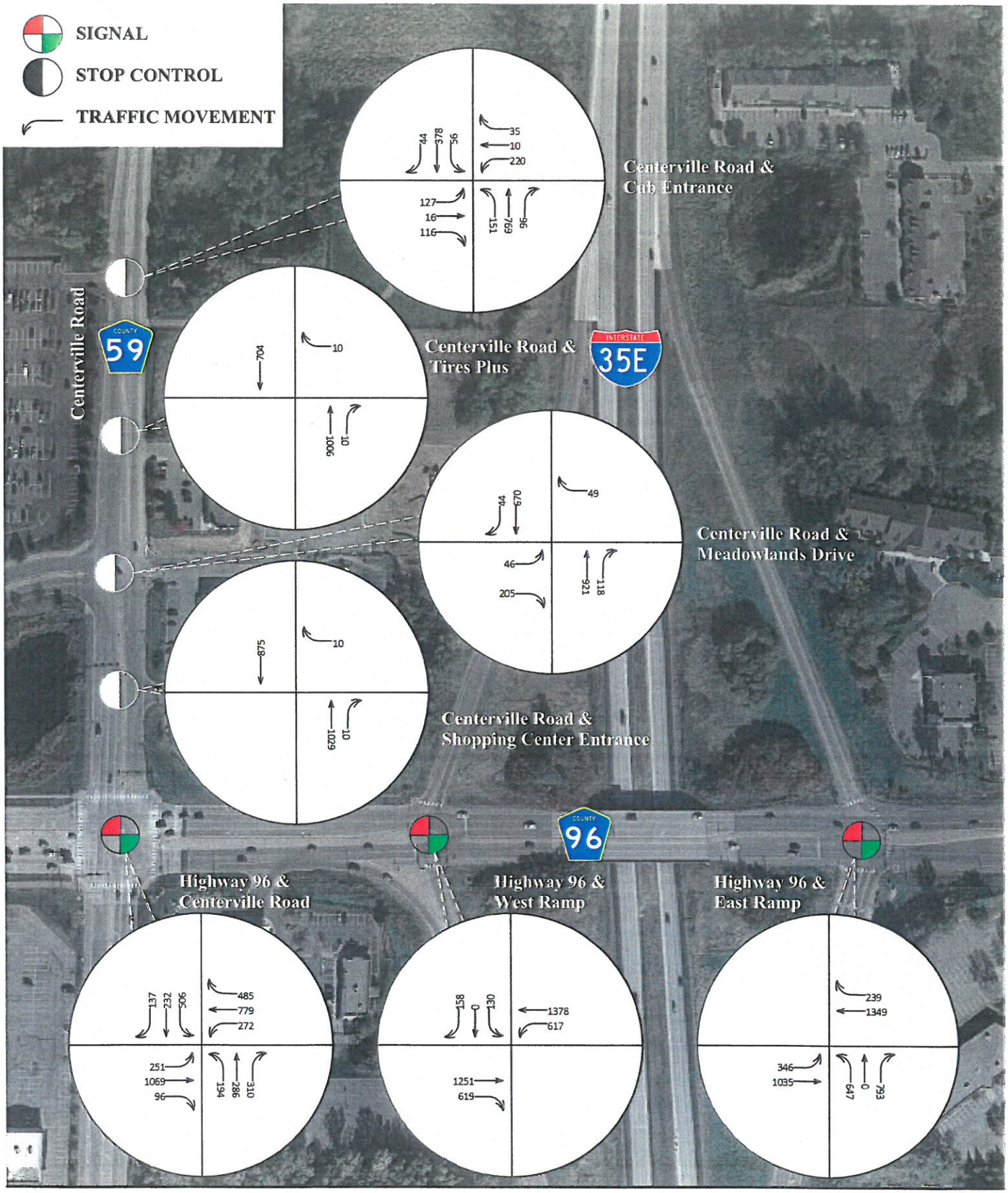
LEGEND

XXX - PM VOLUMES

Figure 03
Proposed Geometry
2017 Build Volumes



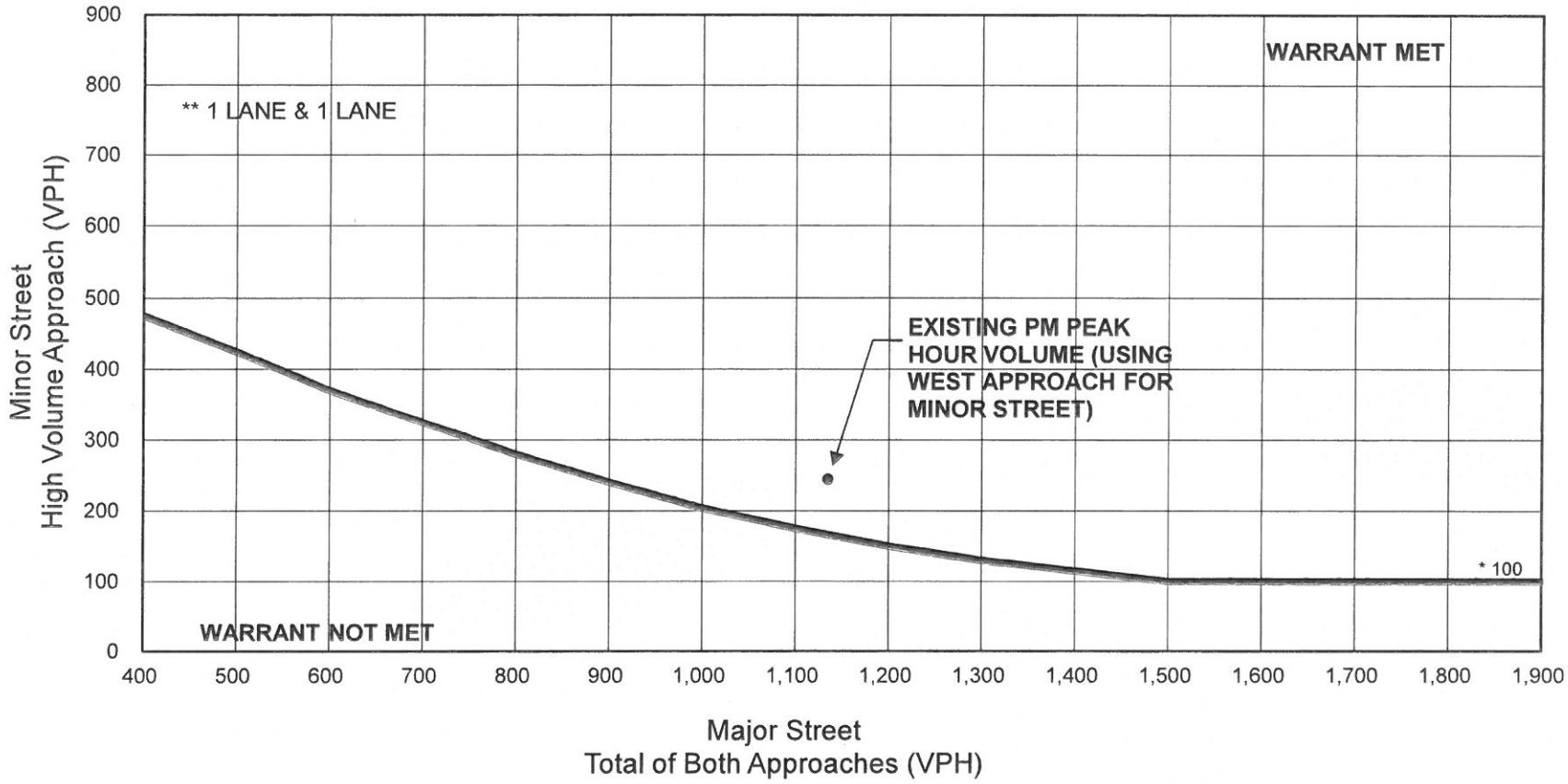
White Bear Lake Development Traffic Study

ALLIANT ENGINEERING

LEGEND

XXX - PM VOLUMES

Figure 04
Proposed Geometry
2022 Build Volumes



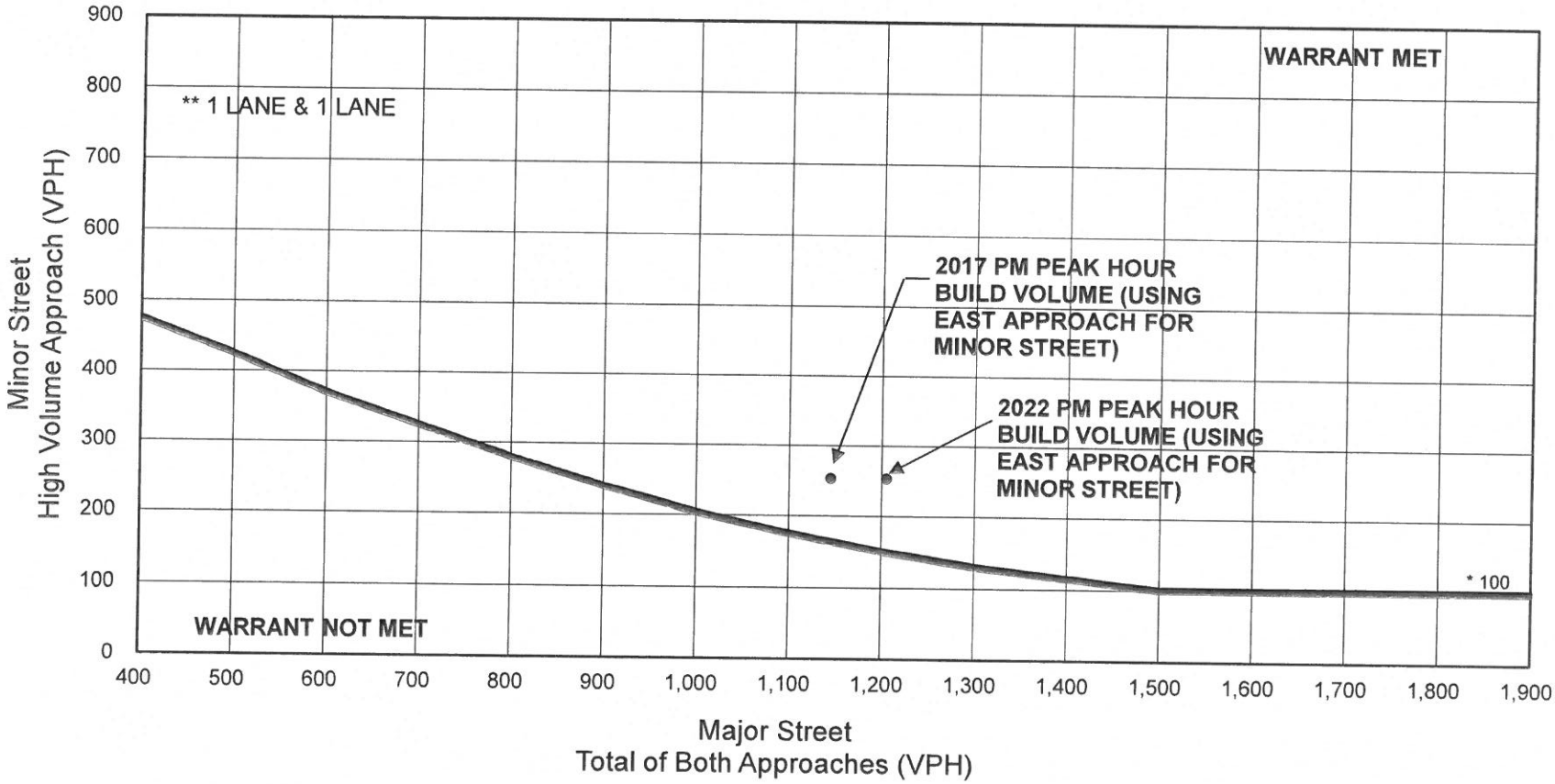
Warrant Met for 1 Hour

* NOTE: 100 vph applies as the lower threshold volume for a minor street approach with two lanes or more.

** The first number refers to the number of lanes of approach on the major street and the second number refers to the number of lanes of approach on the minor street.

Figure 05
Centerville Road & Cub Foods Entrance
Warrant Analysis - Existing Conditions

Source: 2015 Minnesota Manual on Uniform Traffic Control Devices



Warrant Met for 1 Hour

* NOTE: 100 vph applies as the lower threshold volume for a minor street approach with one lane.

** The first number refers to the number of lanes of approach on the major street and the second number refers to the number of lanes of approach on the minor street.

Figure 06
Centerville Road & Cub Foods Entrance
Warrant Analysis - Proposed Conditions

Source: 2015 Minnesota Manual on Uniform Traffic Control Devices

Appendix A:

2016 Traffic Impact Study
(Revised January 19, 2017)

EXTRACT OF MINUTES OF A MEETING OF THE TOWN BOARD OF THE TOWN OF WHITE BEAR, MINNESOTA, HELD ON OCTOBER 15, 2018

Pursuant to due call and notice thereof, a Special meeting of the Town Board of the Town of White Bear, Minnesota, was duly held at Heritage Hall in said Town on October 15, 2018.

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

The Clerk presented an Affidavit showing publication of a Notice of Hearing on the proposed assessment for Improvement 2018-3, in the official newspaper and Affidavit showing mailing of Notice of Hearing in accordance with the Resolution adopted September 5, 2018, which Affidavits were examined, found satisfactory and ordered placed on file.

The Town Clerk announced that the meeting was open for consideration of objections, if any, to said proposed assessments. All persons present were given an opportunity to present oral objections, and all written objections therefore filed with the Clerk were presented and considered, and all subject objections were tabulated as follows:

NAME	PROPERTY I.D.	NATURE OF OBJECTION

Supervisor Prudhon introduced the following Resolution and moved its adoption:

RESOLUTION ADOPTING & CONFORMING ASSESSMENTS FOR IMPROVEMENT 2018-3

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

1. The Clerk, with the assistance of a qualified person heretofore selected by the Town Board, has calculated the amount proper and necessary to be specially assessed for Improvement 2018-3, against every assessable lot, piece or parcel of land affected thereby upon the basis of benefits received, without regard to cash valuation, in accordance with the provisions of Minnesota Statutes, Section 429.051 and 429.061, and notice has been duly published and mailed as required by law, that this Board would meet to hear and pass upon objections, if any, and to amend said proposed assessment roll as might be necessary and said proposed assessment roll has at all times since its filing been open for public inspection, and an opportunity has been given to all interested persons to present their objections, if any, to such proposed assessments, and said proposed assessment roll has been amended as to certain parcels of land by Resolution adopted this date.

2. The Board, having heard and considered all objections so presented, and being fully advised in the premises, finds that each of the lots, pieces and parcels of land enumerated in the proposed assessment roll as so amended was and is specially benefitted by the construction of said improvement in not less than the amount of the assessment set opposite the description of each such lot, piece or parcel of land, respectively, and that such amount so set out is hereby levied against each of the respective lots, pieces or parcels of land therein described.

3. The proposed assessment roll as amended, is hereby adopted and confirmed as the special assessments for each of the said lots, pieces and parcels of land respectively, and the assessment against each parcel, together with inters tar the rate of 3.8% per annum, accruing on the fully amount thereof from time to time unpaid, shall be a lien concurrent with the general taxes upon such parcels and all thereof. The total amount of such assessment shall be payable in equal, annual installments extending over a period of ten (10) years, the first of such installments, together with interest on the entire assessment from October 15, 2018 through December 31, 2019, to be payable with general taxes payable in the year 2019, collectable with such taxes during the year 2019, and each subsequent installment will be payable with one year's interest at said rate on all unpaid installments to be payable with the general taxes for each consecutive year thereafter until the entire assessment is paid.

4. Prior to certificate of the assessment roll to the County Auditor, the owner of any lot, piece or parcel of land assessed hereby may at any time pay the whole of such assessment with interest accrued to the date of payment, to the Treasurer of the Town.

5. The Clerk shall, as soon as may be, prepare, and on November 30, 2019, transmit to the County Auditor, a certified duplicate of the assessment roll with each then unpaid installment and interest set forth separately, to be executed upon the property tax lists of the County, and the County Auditor shall thereafter collect said assessments in the manner provided by law.

6. The proposed assessment heretofore made in respect of the improvement shall be and are hereby amended to read as shown below, and the Clerk is authorized and directed to indicate the same amendments on the face of the assessment roll.

NAME	PROPERTY I.D.	AMENDMENT TO ASSESSMENT

The motion for the adoption of the foregoing Resolution was duly seconded by Supervisor Ruzek, 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 Special meeting of the Town Board of the Town held on the 15th 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 a Resolution relating to Improvement 2018-3.

WITNESS my hand as such Clerk and the Town Clerk's Seal this 15th day of October, 2018.

_____
TOWN CLERK, TOWN OF WHITE BEAR, MINN.

Town Board Meeting
October 15, 2018

Agenda Number: **7C – 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 /
Notice of Extension / Public Notice /Affidavit of Publication / Resident Letter / Zoning Ordinance & Conditional Use Permit Application Form /
Proposed Amendment to Ordinance No. 35 /
Proposed Conditional Use Permit / Zoning Certificate / Requirements

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

Based on Planning Commission Review & Recommendation Approve:

1) Amendment to Ordinance No. 35, Section 7-18 – Advertising Sign Overlay Area
2) Conditional Use Permit / Zoning Certificate / Requirements to Allow Construction of an Off-Premises Advertising Sign at 5858 Centerville Road

---

PUBLIC HEARING – SMC, 5858 CENTERVILLE ROAD – REQUEST FOR AMENDMENT TO ORDINANCE NO. 35, SECTION 7-18 – ADVERTISING SIGN OVERLAY AREA AND CONDITIONAL USE PERMIT: It was announced that the Public Hearing notice was not filed in time to be published in time to hold the Public Hearing. As a result, the Public Hearing will be extended. The Town Attorney stated that the Board should exercise its right under Minnesota Statute 1599 to extend the consideration for the Conditional Use Permit for 30 days. Kermes asked the applicant if there was any objection to the continuation of the request.

Dan Remes, 18631 Knollwood Circle, Lakeville, Minnesota stated that he has no objection and understands that he will be back for the hearing on the October 15th.

Ruzek moved to exercise the Town's right under Minnesota Statute 1599 to extend the consideration for the Conditional Use Permit for advertising sign at 5858 Centerville Road for 30 days noting that the applicant has stated that he has no objection to the extension. Prudhon seconded. Ayes all.

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.

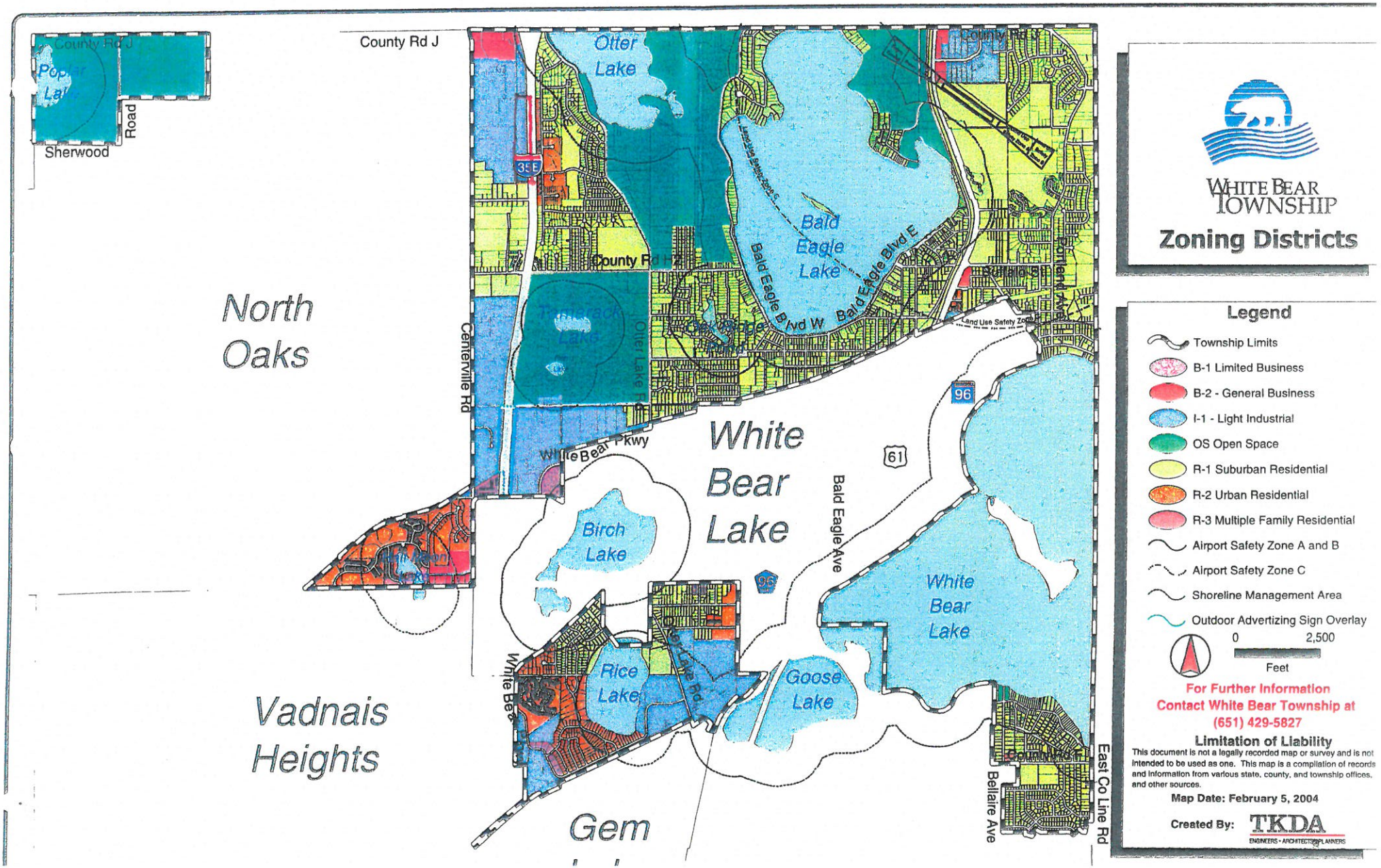
7. All State, Federal and local laws and applicable ordinances shall be complied with.

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

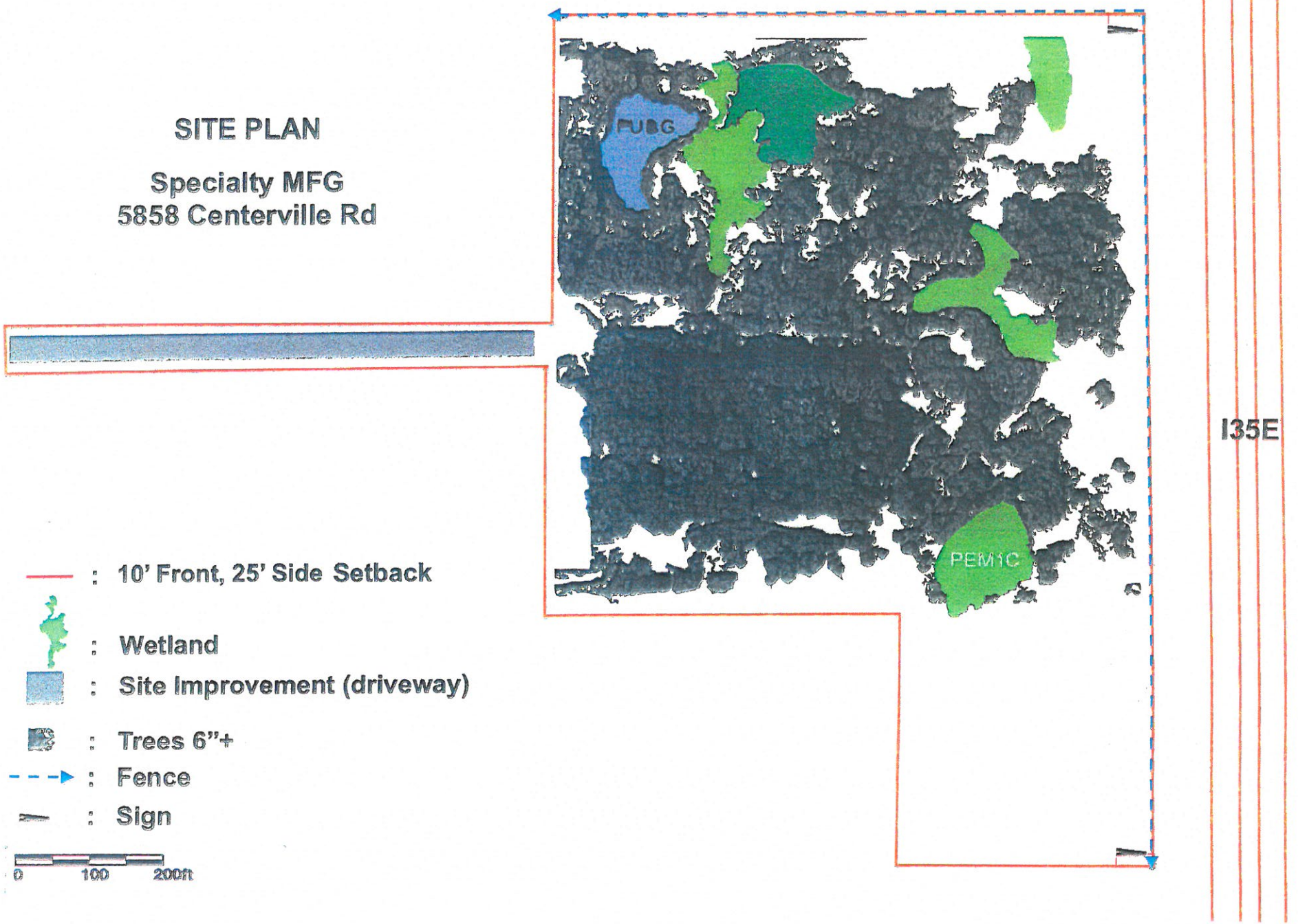
□ = NEW OUTDOOR ADVERTISING SIGN OVERLAY DISTRICT BEING CONSIDERED.

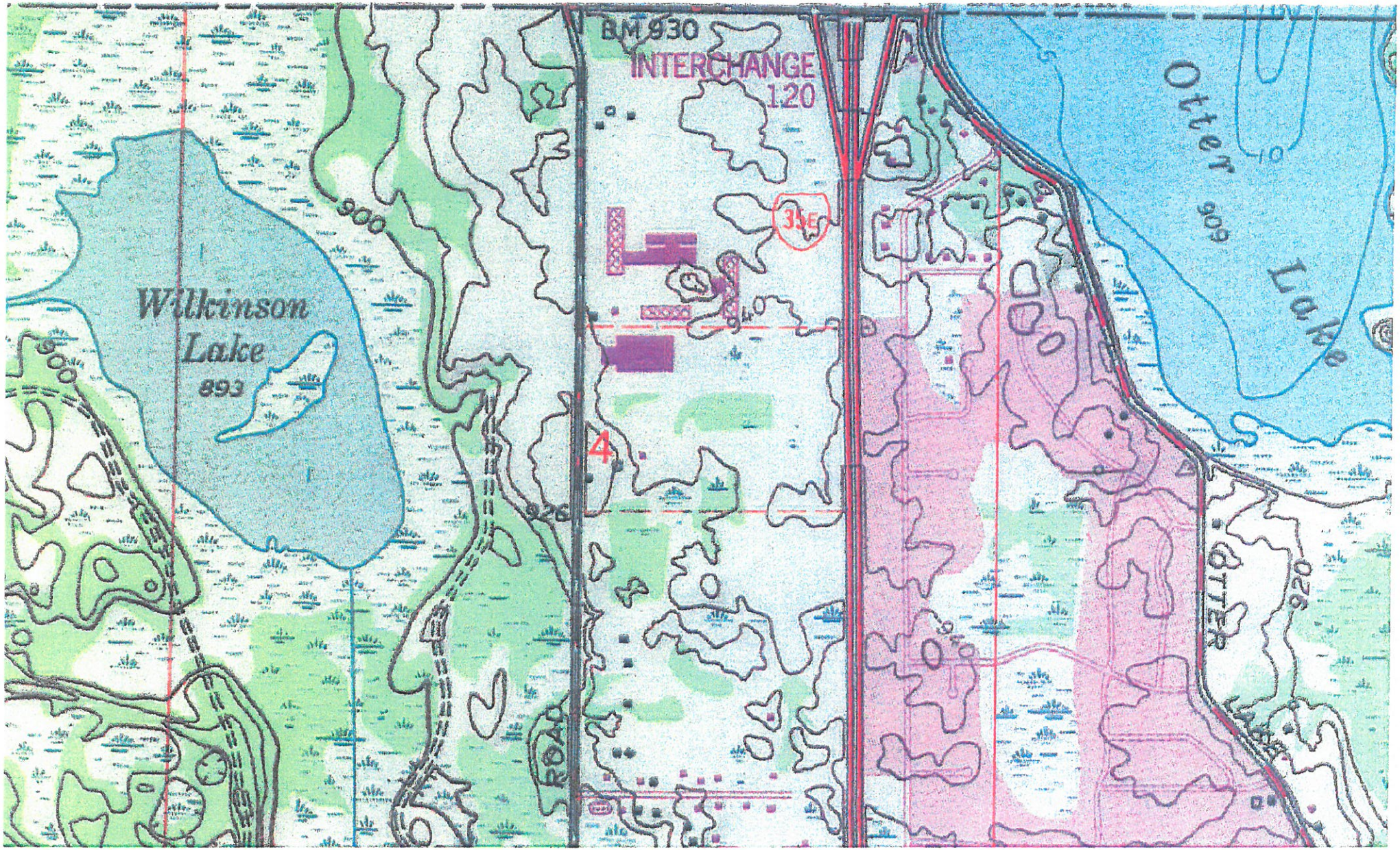


WHITE BEAR TOWNSHIP DAY
POLAR LAKES PARK
SEPTEMBER 8TH, 2018
WHITE BEAR
TOWNSHIP DAY
WHITE BEAR
TOWNSHIP

SITE PLAN

Specialty MFG
5858 Centerville Rd




BM 930
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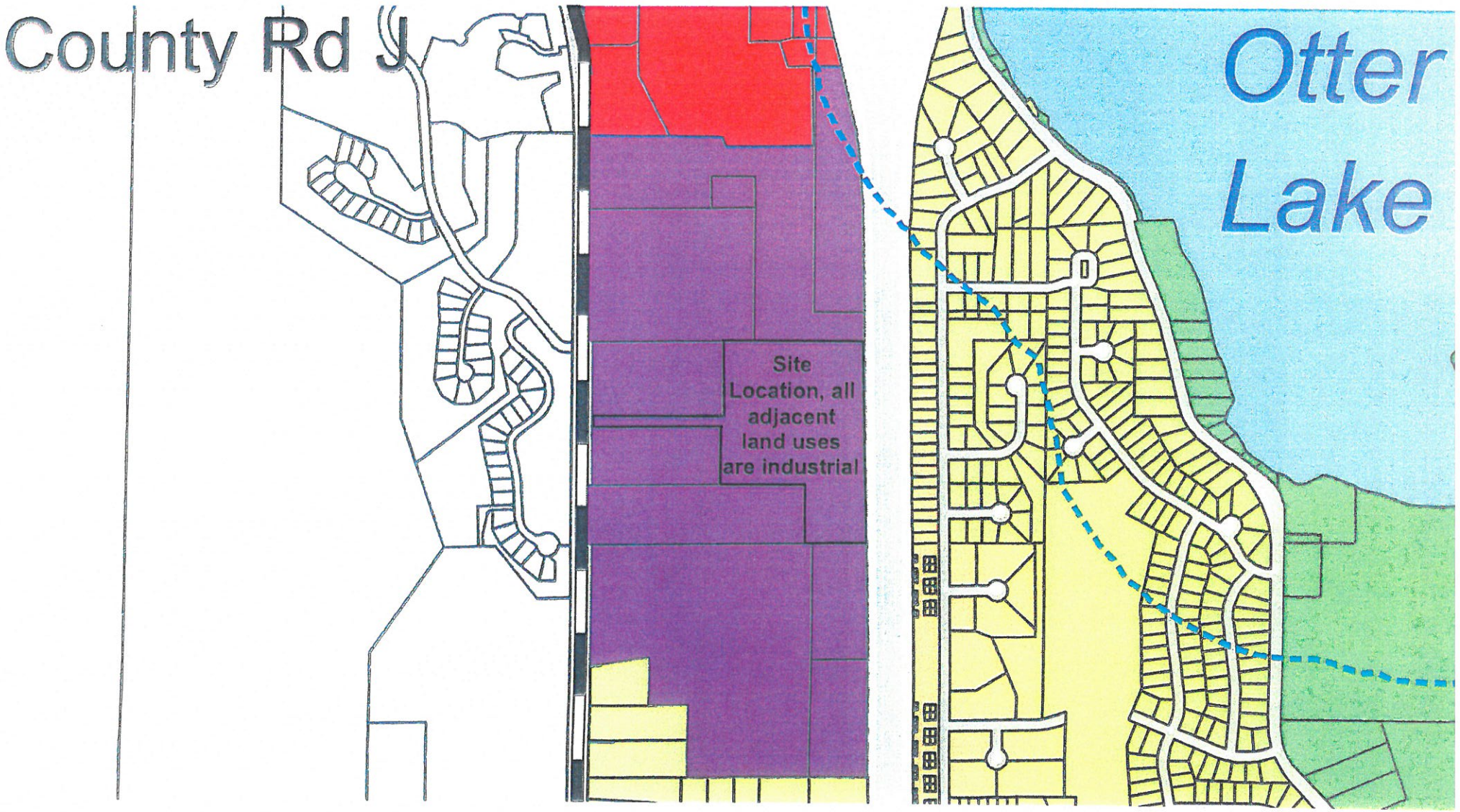
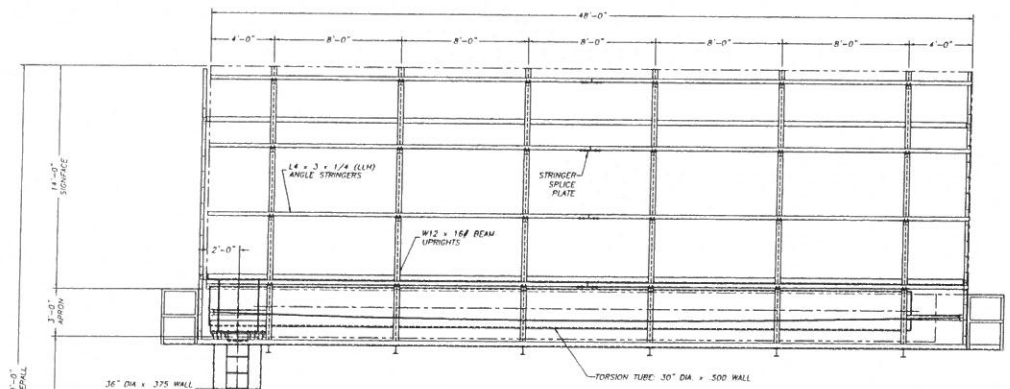
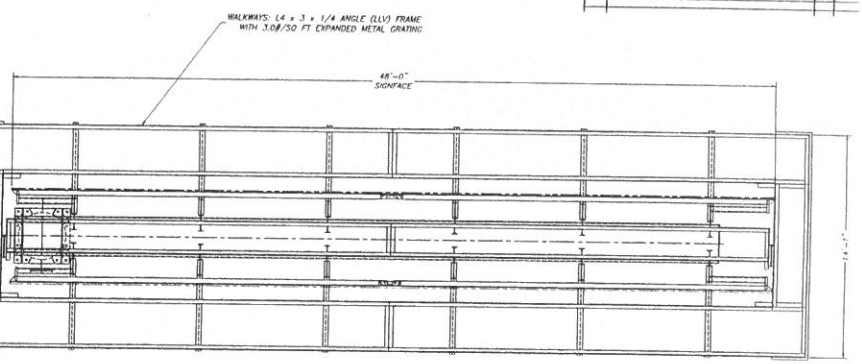

County Rd J
Site Location, all adjacent land uses are industrial
Otter Lake

66-93

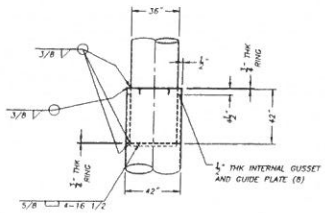
REV.	CHANGE	BY	DATE



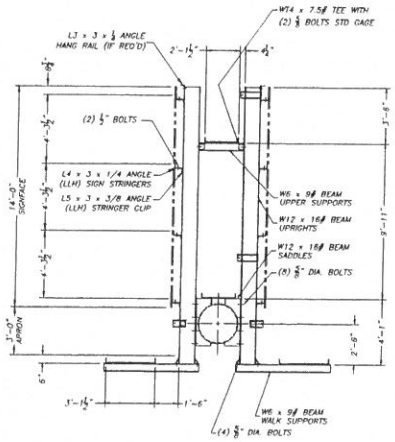
ELEVATION VIEW



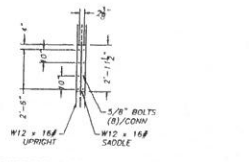
PLAN VIEW



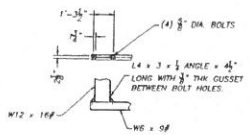
COLUMN SPLICE DETAIL



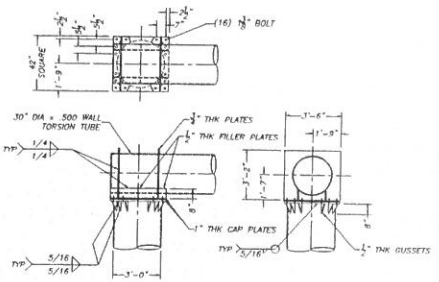
CROSS SECTION VIEW



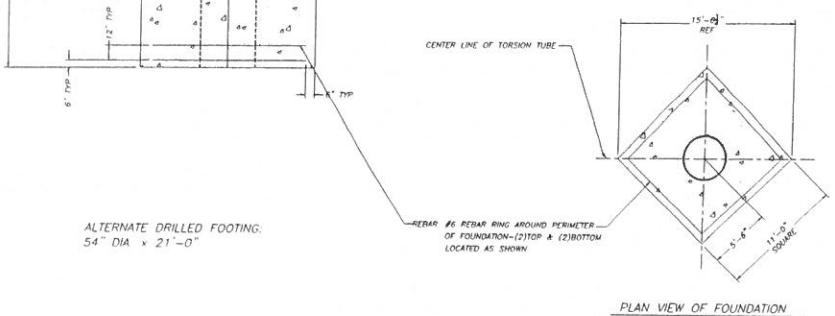
SADDLE BEAM TO UPRIGHT CONNECTION



SUPPORT TO UPRIGHT CONNECTION



COLUMN CONNECTION



ALTERNATE DRILLED FOOTING:
54" DIA x 21'-0"

PLAN VIEW OF FOUNDATION

SPECIFICATIONS:

1. STEEL ROLLED "W" BEAM SECTIONS: ASTM A992
   ALL OTHER STEEL ROLLED SECTIONS: ASTM A36
2. PIPE SECTIONS: A.P.I. 5L X52
3. BOLTS: MINIMUM 1/2" DIAMETER UNC. ALL BOLTS GRADE F3125 A325 UNLESS OTHERWISE SPECIFIED.
4. CONCRETE: 3000 P.S.I. @ 28 DAYS.
5. HORIZONTAL SOIL PRESSURE: 300#/FT²/FT.
6. THIS DESIGN MEETS THE REQUIREMENTS OF THE 2015 INTERNATIONAL BUILDING CODE FOR 115 M.P.H. (3 SEC. GUST) WIND SPEED, RISK CATEGORY II, AND EXPOSURE "C".
7. ALL WELDING SHALL BE IN ACCORDANCE WITH AWS STANDARDS USING E-70 ELECTRODES.
8. ALL WALKWAYS TO HAVE SAFETY CABLES
9. REINFORCING BAR: ASTM A-615 GRADE 60 (REBAR IS NOT REQUIRED IF FIBER REINFORCED CONCRETE IS USED.)
10. WIND LOADING EXCEEDS SEISMIC LOADING.
11. DESIGNED FOR WEIGHT OF (2) DIGITAL UNITS @ 7,000#/EA.

PROPOSAL DRAWING

PRODUCTIVITY FABRICATORS

SCALE: NONE		DRAWN BY: P. PLATT
DATE: 08/01/18		

14' x 48', BB, FLAG, 40'-0" OVERALL

SUPREME OUTDOOR

DRAWING NUMBER: 66-9341

SUPREME OUTDOOR ADVERTISING, INC.

LAND LEASE FOR SIGN STRUCTURE

This lease made this 1 day of JUNE, 20 18, 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)

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: 6/1/2018

NAME: [signature]

TITLE: VP/CFO

PHONE: 651-653-0599

LESSEE: SUPREME OUTDOOR ADVERTISING, INC.

DATE: 6/1/2018

NAME: Daniel Enke

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.

WHITE BEAR TOWNSHIP

NOTICE OF EXTENSION

Supreme Outdoor, hereinafter referred to as "Applicant", has submitted the following for consideration by the Town of White Bear. The specific item requested is as follows:

1. Ordinance No. 35 (Zoning) Amendment & Conditional Use Permit.

There is need for additional review time in order to properly evaluate the aforementioned request. The Owner/Developer has requested an extension of sixty (60) days from the date of this notice.

As a result of the need for further evaluation, and the further request of the Owner/Developer, this matter is extended until sixty (60) days from the date of this notice. Town Board review is scheduled for October 15, 2018.

TOWN OF WHITE BEAR

Dated: October 8, 2018.

By: _____
WILLIAM F. SHORT, Clerk-Treasurer

APPLICANT

Dated: October 5 TH, 2018.

By: _____

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

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Carter Johnson, being first duly sworn, on oath states as follows:

1. I am the publisher of the WHITE BEAR PRESS, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant of Minnesota Statutes §331A.07.

2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.

3. The dates of the month and the year and day of the week upon which the public notice attached was published in the newspaper are as follows:

   Once a week, for one week, it was published on Wednesday, the 19th day of September, 2018.

4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to §331A.06, is as follows:

   a) Lowest classified rate paid by commercial users for comparable space _____

   b) Maximum rate allowed by law for the above matter _____

   c) Rate actually charged for the above matter $ 16.55/inch

5. Mortgage Foreclosure Notices. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in Ramsey County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

FURTHER YOUR AFFIANT SAITH NOT.

BY:
TITLE: Carter Johnson, Publisher

Subscribed and sworn to before me on this 19th day of September, 2018.

Myrna L. Press
Notary Public

MYRNA L. PRESS
Notary Public-Minnesota
My Commission Expires Jan 31, 2020

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.

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

WHITE BEAR TOWNSHIP
1858
RAMSEY COUNTY
MINNESOTA

1281 HAMMOND ROAD
WHITE BEAR TOWNSHIP, MN 55110

651-747-2750
FAX 651-426-2258
Email: wbt@whitebeartownship.org

October 4, 2018

Dear Interested Property Owner:

Enclosed please find a **Public Notice** regarding the request for an amendment to Ordinance No. 35 (Zoning) and a Conditional Use Permit to Allow Outdoor Advertising Signs.

The SMC Corporation and Supreme Outdoor Advertising are requesting approval of an ordinance amendment and Conditional Use Permit to allow the construction of two billboards along I-35E on the SMC property at 5858 Centerville Road.

The Public Hearing on the matter was originally scheduled for October 1st, but has been continued to **October 15, 2018 @ 7:00 p.m., at Heritage Hall, 4200 Otter Lake Road, White Bear Township, Minnesota.**

If you have any questions regarding this matter, please plan to attend the meeting or you may contact Tom Riedesel, Planner, at 651.747.2761 or via e-mail at tom.riedesel@whitebeartownship.org.

Sincerely,

Patti Walstad
Paralegal

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

recycled paper

NORTH OAKS FARM INC
5959 CENTERVILLE ROAD UNIT 200
NORTH OAKS MN 55127

RESIDENT
5776 CENTERVILLE ROAD
WHITE BEAR TOWNSHIP MN 55127

SPECIALTY MFG CO
5858 CENTERVILLE ROAD
WHITE BEAR TOWNSHIP MN 55127

SCHWING AMERICA INC
5900 CENTERVILLE ROAD
WHITE BEAR TOWNSHIP MN 55127

CITY OF NORTH OAKS
100 VILLAGE CENTER DRIVE #230
NORTH OAKS MN 55127

RESIDENT
5777 OTTER VIEW TRAIL
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5775 OTTER VIEW TRAIL
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5767 OTTER VIEW TRAIL
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5765 OTTER VIEW TRAIL
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5753 OTTER VIEW TRAIL
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5751 OTTER VIEW TRAIL
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5745 OTTER VIEW TRAIL
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5747 OTTER VIEW TRAIL
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5743 OTTER VIEW TRAIL
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5741 OTTER VIEW TRAIL
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5735 OTTER VIEW TRAIL
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5737 OTTER VIEW TRAIL
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5833 OTTER VIEW TRAIL
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5823 OTTER VIEW TRAIL
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5821 OTTER VIEW TRAIL
WHITE BEAR TOWNSHIP MN 55110

Easy Peel® Labels
Use Avery® Template 5161®
Feed Paper
Bend along line to
expose Pop-up Edge™
AVERY® 5961™

RESIDENT
5813 OTTER VIEW TRAIL
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5811 OTTER VIEW TRAIL
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5799 OTTER VIEW TRAIL
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5797 OTTER VIEW TRAIL
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5789 OTTER VIEW TRAIL
WHITE BEAR TOWNSHIP MN 55110

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5787 OTTER VIEW TRAIL
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RESIDENT
5879 OTTER VIEW TRAIL
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RESIDENT
5869 OTTER VIEW TRAIL
WHITE BEAR TOWNSHIP MN 55110

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5859 OTTER VIEW TRAIL
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WHITE BEAR TOWNSHIP

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
Supreme Outdoor

PHONE (Home) _____
(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 _____

LDD 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
(Call Public Hearing) _____ (1st Monday of the following month @ 7:00 p.m. at Town Hall).

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 Eischens

Signature of Applicant(s)

5/15/18
Date

To Be Completed By Office:

Date Request Received _____

By _____
(Staff Member)

$110.00 Fee + $200 Deposit Received ☐ Yes ☐ 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.

WHITE BEAR TOWNSHIP

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 I-1

EXISTING USE OF SITE Industrial Use

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

$200 Fee ($75.00 plus $200.00 Expense Deposit)

CHECKLIST:

Site Plan

- X Building locations (dwelling, garage, accessory building).
- X Site improvements (parking areas, drives, sidewalks, fences, decks, lighting, etc.).
- X Yard (front, side, rear setbacks).
- X Wetlands (delineation of streams, water bodies, wetlands & 100 year storm elevation).
- X Existing trees (6 inch in diameter or more), large shrubs & proposed landscaping.
- X Location of site, with adjacent land use.
- X 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.
X 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 (Call Public Hearing) _____ (1st Monday of the following month @ 7:00 p.m. at the Town Hall).

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 detraction 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 Eselgroth
Signature of Applicant(s)

7-31-18
Date

To Be Completed By Office:

Date Request Received _____

By _____
(Staff Member)

$75.00 Fee + $200 Deposit Received ☐ Yes ☐ No

Date Application Complete _____

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 7-18 – Advertising Sign Overlay Area of Ordinance No. 35 is amended to read as follows:

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 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).

SECTION 2. SEVERABILITY. Should any section, subdivision, clause or other provision of this Ordinance be held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of the Ordinance as a whole, or of any part thereto, other than the part held to be invalid.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect and be in force from and after its passage and publication.

Passed by the Town Board of Supervisors of the Town of White Bear, Ramsey County, Minnesota, this 15th day of October, 2018.

APPROVED:

_____
ROBERT J. KERMES, Chair

ATTEST:

_____
WILLIAM F. SHORT, Clerk-Treasurer

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

Published in the White Bear Press on October __, 2018.

STATE OF MINNESOTA

COUNTY OF RAMSEY

TOWN OF WHITE BEAR

Office of Town Clerk/Treasurer

CONDITIONAL USE PERMIT

IN CONSIDERATION of the statements made by Supreme Outdoor Advertising, in their application therefor duly filed in this office, which Application is made a part hereof, and a showing by the applicant that the standards and criteria set forth in Ordinance No. 35 (Zoning) for Conditional Use Permits will be satisfied, a public hearing thereon having been held as provided by statute and ordinance, PERMISSION IS HEREBY GRANTED To said Supreme Outdoor Advertising, to operate, to allow construction of an off-premise advertising sign, upon a tract of land lying and being in the Town of White Bear, described as follows: Lot 1, Block 2, Specialty Manufacturing Addition; Address: 5858 Centerville Road, which tract is of the size and area specified in said application.

This permit is granted upon the express condition that said owner and their contractors, agents, workmen and employees shall comply in all respects with the ordinances of the Town of White Bear and the Special Requirements attached hereto and made a part hereof.

Given under the hand of the Town Clerk/Treasurer and the Seal of the Town Clerk this 15th day of October, 2018.

_____
TOWN CLERK/TREASURER

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

THIS INSTRUMENT WAS DRAFTED BY:
WHITE BEAR TOWNSHIP
1281 HAMMOND ROAD
WHITE BEAR TOWNSHIP MN 55110

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 Conditional Use Permit with the original records and files of said Town, and that the same is a full, true, and correct transcript therefrom.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the Town Clerk's Seal this 15th day of October, 2018.

_____
TOWN CLERK/TREASURER

ZONING CERTIFICATE
Town of White Bear, Minnesota

I hereby certify that the real estate situated in the Town of White Bear, Ramsey County, Minnesota, described as follows, to-wit: Lot 1, Block 2, Specialty Manufacturing Addition, and commonly known as: 5858 Centerville Road, is in a(n) I-1 light Industrial District and can be used for the following purpose: off-premise advertising sign, all in accordance with the attached Requirements, pursuant to Ordinance No. 35, the Zoning Ordinance for the Town of White Bear, Ramsey County, Minnesota.

Dated: October 15, 2018.

_____
TOWN CLERK

☒ CONDITIONAL USE

☐ PERMITTED USE

☐ NON-CONFORMING USE

☐ SPECIAL HOME OCCUPATION

☐ OTHER: _____

CONDITIONAL USE PERMIT
REQUIREMENTS

Supreme Outdoor Advertising & SMC
5858 Centerville Road
White Bear Township, Minnesota 55127

1. The structure design shall be consistent with the attached rendering.

2. 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

3. 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.

4. All requirements of the Town Sign Ordinance (No. 33), and other applicable Ordinances shall be complied with.

5. No off-premise advertising sign shall contain the following advertisement 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;

- Any other products or businesses which the Town reasonably believes promote acts which are contrary to the Town's public policy of promoting the health and welfare of its residents.

6. All applicable permits and approvals shall be received from the affected agencies and provided to Town staff.

7. The sign pylon shall be consistent in design with the plan provided by Supreme Outdoor

8. All State, Federal and local laws and applicable ordinances shall be complied with.

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

Town Board Meeting
October 15, 2018

Agenda Number: **7D – Public Hearing**

Subject: **Storm Water Pollution Prevention Program** – Annual Presentation of the Town's Program

Documentation: Annual Presentation of White Bear Township's Stormwater Pollution Prevention Program / Public Notice /

Action / Motion for Consideration:

Town Engineer Presentation at Meeting / Discuss

Minutes
Town Board Meeting
October 16, 2017

7:30 P.M. – PUBLIC HEARING CONTINUATION – ANNUAL PRESENTATION OF THE TOWN'S STORM WATER PREVENTION PROGRAM: The Public Hearing was continued at 7:40 p.m. Ruzek moved to waive the reading of Public Notice noting that proper publication was made. Prudhon seconded. Ayes all. Prudhon moved to open the continuation of the Public Hearing. Ruzek seconded. Ayes all.

The Town Engineer reported that one of the requirements of the annual presentation is to hold a public hearing which is being held tonight. The Stormwater Pollution Prevention Program requires that all communities have a one year annual review of their system regarding what they have done and what they planned to do going forward. The program has been in place since 2003. Owners and operators of municipal storm sewer systems (MS4) were required to obtain a permit from the Minnesota Pollution Control Agency in order to continue operating their drainage systems. In 2004, White Bear Township was issued that permit. The 2013 Re-Authorization permit was approved by the MPCA. One of the permit requirements is that a plan be developed to prevent pollution from storm water related activities. Each year the Town Engineer reports on the accomplishments outlined in the plan. Components of the program include: 1) Public Education: The Town's website contains links for stormwater education. The Town relies primarily on the Rice Creek Watershed District and Vadnais Lakes Water Management Organization for educational information; 2) Advisory Committee: The Town's Utility Commission advises the Town Board on stormwater issues; 3) Storm Sewer System Map: The Town has developed an electronic system map that is updated annually; 4) Storm Water Discharge Ordinance: The Town's Local Water Management Plan outlines limits on stormwater quality; 5)

Construction Site Requirements: The Town's Building Official monitors building sites; 6) Infrastructure Inspection Plan: The Town inspects 20% of its storm sewer outfalls annually; 7) Street Sweeping: The Town sweeps its streets twice annually. This takes place in the spring and in the fall; 8) Spring Clean Up: The Town and its waste hauler hold a spring clean-up day each year. Clean Up Day was held on June 17, 2017; 9) Pollution Control Structures: The Town cleans out structures annually; 10) Reporting: The Town submitted annual report for 2016 to MPCA on June 21, 2017.

Projects completed in 2016/2017 include: 1) Repaired catch basins through grouting, replacing rings or rebuilding them; 2) Cleaned pollution control structures; 3) Barry Lane sediment basin reconstructed and storm pipes cleaned; 4) White Bear Parkway and Hammond Road cul-de-sac basins replaced; 5) West Avenue rain garden installed; 6) Gilfillan Hills Pond drainage valve manhole improvement.

Stormwater project list with estimated cost 1) Outfall #3, #5, #6, #8, #9, #11, #15, #16, #17 - $120,000; 2) Otterview Trail drainage improvements - $35,000; 3) Lake Avenue ditch cleaning - $25,000; 4) Lake Avenue pipe lining - $25,000; 5) Pioneer Lane ditch cleaning - $50,000; 6) Allendale Drive ditch cleaning - $20,000; 7) Beaver Street drainage improvements - $25,000; 8) Public Works drainage improvement projects - $13,500; 9) Pond Cleaning – Many Projects – Significant.

Documentation / Requirements / Education include the following: 1) Local Water Management Plan is due June 2018; 2) Pond inventory has been completed; 3) New MPCA permit requirements are expected with expanded storm pond inspection requirements; 4) Educate the general public through website, social media, pamphlets and mailings; 5) Educate contractors about site erosion and waste; 6) Educate Town employees to identify improper disposal of waste; 7) Town Ordinance revisions to make sure they address current issues; 8) Continued inspections and maintenance of storm sewers and ponds.

In response to a question regarding the Town's inspection of 20% of the outfalls each year and if there is a similar guideline for pond cleaning, the Town Engineer stated that the entire system is reviewed every five years. Areas of significant improvement have been noted and the Town will provide maintenance until necessary correction can be made. There is a similar effort for pond review as there is for outfall review. Prudhon noted that it would help if the residents are aware of not raking leaves and grass clippings into the street which will end up in the storm sewer.

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

Phil Carpentier, 2697 Arbor Drive, stated that the big cottonwood tree at the corner where he lives was removed. His wife wanted him to put a plant there. When he dug down he hit a steel plate which was a buried manhole for the water system. It was to be raised and the work has not been completed and he asked the Public Works Director when work on the manhole will be completed. He asked if there is a timetable for it to be done. The Public Works Director stated that it is on the schedule and will have the Field Maintenance Supervisor contact Mr. Carpentier.

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

The report was received.

ANNUAL PRESENTATION OF
WHITE BEAR TOWNSHIP'S
STORMWATER POLLUTION PREVENTION PROGRAM

OCTOBER 15, 2018

BACKGROUND

Since 2003, owners and operators of municipal storm sewer systems (MS4) were required to obtain a permit from the Minnesota Pollution Control Agency in order to continue operating their drainage systems. In 2004, White Bear Township was issued that permit.

The 2013 Re-Authorization permit was approved by the MPCA. One of the permit requirements is that a plan be developed to prevent pollution from stormwater related activities.

Each year the Town Engineer reports on the accomplishments outlined in the plan.

REQUIREMENTS/ACCOMPLISHMENTS FOR 2017 AND 2018

Annual Meeting	October 15, 2018.
Public Education	Town's web site contains links for stormwater education. We rely primarily on RCWD and VLAWMO for educational information.
Advisory Committee	Town's Utility Commission advises the Town Board on stormwater issues.
Storm Sewer System Map	Town has developed an electronic system map that is updated annually.
Storm Water Discharge Ordinance	Town's Local Water Management Plan outlines limits on stormwater quality.
Construction Site Requirements	Town's Building Official monitors building sites.
Infrastructure Inspection Plan	Town inspects 20% of its storm sewer system including ponds, outlets, etc. annually.
Street Sweeping	Town sweeps its streets twice annually. This takes place in the spring and in the fall.
Spring Clean Up	Town and its' waste hauler hold a spring clean-up day each year. Clean up day was held on June 16, 2018.
Pollution Control Structures	Town cleans out structures annually.
Reporting	Town submitted annual report for 2017 to MPCA on June 12, 2018.

PROJECTS COMPLETED IN 2017/2018:

- Repaired catch basins through grouting, replacing rings or rebuilding them.
- Cleaned pollution control structures.
- Barry Lane Sediment Basin Reconstructed and storm pipes cleaned.
- White Bear Parkway and Hammond Road catch basins replaced.
- West Avenue rain garden installed.
- Gilfillan Hills Pond drainage valve manhole improvement.
- Replaced flared end section on Stormwater pipe outlet from White Bear Parkway.

STORMWATER PROJECT LIST WITH ESTIMATED COST:

• Outfall #3, #5, #6, #8, #9, #11 #15, #16, #17	$120,000
• Otterview Trail Drainage Improvements	$35,000
• Lake Avenue Ditch Cleaning	$25,000
• Lake Avenue Pipe Lining	$25,000
• Pioneer Lane Ditch Cleaning	$50,000
• Allendale Drive Ditch Cleaning	$20,000
• Beaver Street Drainage Improvements	$25,000
• Public Works Drainage Improvement Projects	$13,500
• Pond Cleaning – Many Projects	Significant

DOCUMENTATION/REQUIREMENTS/EDUCATION

- A MPCA permit renewal application was submitted in 2018.
- Local Water Management Plan was submitted and addressing minor comments.
- Pond Inventory has been completed.
- New MPCA permit requirements are expected with expanded storm pond inspection requirements.
- Educate the general public through website, social media, pamphlets and mailings.
- Educate contractors about site erosion and waste.
- Educate Town employees to identify improper disposal of waste.
- Town Ordinance revisions to make sure they address current issues.
- Continued inspections and maintenance of storm sewers and ponds.

COMMENTS FROM PUBLIC

TOWN OF WHITE BEAR
PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Town of White Bear Board of Supervisors will hold an informational public hearing regarding the annual presentation of the Town's Storm Water Pollution Prevention Program at the Town Hall on October 15, 2018. This hearing will be held at 7:00 PM, or as soon thereafter as the matter can be reached on the agenda. The agenda for the informational public hearing will include:

1. A Presentation about implementation of the Town's Surface Water Pollution Prevention Program in 2017,

2. Affording interested persons an opportunity to make oral statements concerning the Storm Water Pollution Prevention Program,

3. Consideration of relevant materials that interested persons submit concerning the Storm Water Pollution Prevention Program; and

4. Consideration of public input in making adjustments to the 2018 implementation plan for the Storm Water Pollution Prevention Program.

This meeting will be held at the Town Hall, 4200 Otter Lake Road, White Bear Township, Minnesota.

This meeting is open to the public. If you have any questions, or need special accommodations, please call (651) 747-2750.

William Short
Town Clerk

Legals WBVH 9-12-18

Sep 11, 2018

Download PDF

OFFICE OF THE MINNESOTA SECRETARY OF STATE
CERTIFICATE OF ASSUMED NAME

Pursuant to Chapter 333, Minnesota Statutes; the undersigned, who is or will be conducting or transacting a commercial business in the State of Minnesota under an assumed name, hereby certifies:

1. The assumed name under which the business is or will be conducted is:
   Credit Building School
2. The street address of the principal place of business is or will be:
   445 Minnesota St Ste 1500 12
   St. Paul, MN 55101
3. The name and street address of all persons conducting business under the above Assumed Name, including any corporation that may be conducting this business.
   EL Solutions LLC
   445 Minnesota St Ste 1500 12
   St. Paul, MN 55101

I certify that I am authorized to sign this certificate and I further certify that I understand that by signing this certificate, I am subject to the penalties of perjury as set forth in section 609.48 as if I had signed this certificate under oath.

Dated: August 28, 2018
Signed: Cheyenne Moseley
Published two times in the White Bear Press on Sept. 12 and 19, 2018.

OFFICE OF THE MINNESOTA SECRETARY OF STATE
CERTIFICATE OF ASSUMED NAME

Pursuant to Chapter 333, Minnesota Statutes; the undersigned, who is or will be conducting or transacting a commercial business in the State of Minnesota under an assumed name, hereby certifies:

1. The assumed name under which the business is or will be conducted is:
   GTC Tree Service
2. The street address of the principal place of business is or will be:
   3082 Walter St
   Maplewood MN 55109
3. The name and street address of all persons conducting business under the above Assumed Name, including any corporation that may be conducting this business.
   Green Tech Contracting, LLC
   3082 Walter St
   Maplewood MN 55109

I certify that I am authorized to sign this certificate and I further certify that I understand that by signing this certificate, I am subject to the penalties of perjury as set forth in section 609.48 as if I had signed this certificate under oath.

Dated: August 20, 2018
Signed: Shawn Madonna
Published two times in the White Bear Press on Sept. 12 and 19, 2018.

CITY OF MAHTOMEDI
NOTICE OF HEARING ON PROPOSED ASSESSMENT

Notice is hereby given that the City Council of Mahtomedi, Minnesota, will hold a public hearing and meet in the City Hall Council Chambers at 600 Stillwater Road, Mahtomedi, Minnesota, at 7:00 p.m. on Tuesday, September 18, 2018, to consider, pass upon, adopt and levy the proposed special assessments for delinquent utility accounts. The proposed assessment roll is on file for public inspection at the City Clerk's office. The total amount of the proposed assessment is $119,612.04.

Those persons having an interest in said hearing are encouraged to attend the meeting.

Scott Neilson, City Administrator
Published two times in the White Bear Press on Sept. 5 and 12, 2018.

CITY OF VADNAIS HEIGHTS
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City of Vadnais Heights Planning Commission will meet on **Tuesday, September 25, 2018 at 7:00 p.m.** at City Hall, 800 East County Road E, to consider Conditional Use Permit, Site Plan, and Preliminary Plat applications, submitted by Tyr Development, LLC., for the purpose of constructing two, 70-unit apartment buildings.

The legal description of the property involved is as follows:

That part of Lot D, EXCEPT the East 282.5 feet thereof, and those parts of Lots E, F, G and H, Block 1, Davidson's 1st Subdivision, according to the recorded plat thereof, Ramsey County, Minnesota, and that part of Lot 9, Davidson's Fifth Subdivision, Stockdale Farms, according to the recorded plat thereof, Ramsey County, Minnesota, lying easterly, northeasterly, easterly, northerly, and easterly of a line described as follows: Commencing at the southeast corner of said Lot 9; thence South 89 degrees 35 minutes 53 seconds West, assumed bearing, a distance of 450.98 feet along the south line of said Lot 9, the point of beginning of said line; thence North 00 degrees 01 minutes 35 seconds East a distance of 101.57 feet; thence North 74 degrees 55 minutes 42 seconds West a distance of 137.30 feet; thence North 00 degrees 01 minutes 35 seconds East a distance of 117.22 feet; thence South 89 degrees 44 minutes 37 seconds West a distance of 487.41 feet; thence North 00 degrees 01 minutes 35 seconds East a distance of 574.06 feet to the north line of said Lot D and said line there terminating. Torrens Property

This parcel is located at 4107 Centerville Road, Vadnais Heights, Ramsey County, Minnesota.

Anyone wishing to be heard in regard to this matter will be given an opportunity at this time. The application materials are available for public review at City Hall during normal business hours. Questions or comments should be directed to Nolan Wall, Planning/Community Development Director, at 651-204-6027 or nolan.wall@cityvadnaisheights.com.

FOR THE PLANNING COMMISSION OF THE
CITY OF VADNAIS HEIGHTS
Kevin P. Watson, Administrator
Dated: September 6, 2018
Published one time in the Vadnais Heights Press on September 12, 2018.

CITY OF WHITE BEAR LAKE
PLANNING COMMISSION
PUBLIC HEARING NOTICE

The City of White Bear Lake Planning Commission will hold a public hearing in the City Council Chambers at City Hall, 4701 Highway 61, White Bear Lake, Minnesota on Monday, September 24, 2018 beginning at 7:00 p.m. to hear and make a recommendation to the City Council on the following requests:

A. Case No. 85-11-Sa: A request by **Hogwash** for a Conditional Use Permit amendment, per Code Section 1301.050, in order to add an automatic indoor motorcycle wash at 2180 7th Street.

B. Case No. 18-14-V: A request by **John Manship** for a variance to allow 52% rear yard cover, above the 42% allowed per Code Section 1302.030 Subd.4.i.2.e, in order to resurface an existing driveway at 4766 Peggy Lane.

C. Case No. 18-16-V: A request by **Michael McHugh** for a 5-foot variance from the 25-foot setback required from a side abutting the public right-of-way, per Code Section 1303.060 Subd.5.c.2, in order to include a 22-foot long bump out on a new single-family residence at 2262 11th Street.

D. Case No. 18-15-V: A request by **Alexa Adams** for a 5-foot variance from the required 10-foot side yard setback per Code section 1303.050 Subd.5.c.2, in order to reconstruct a previously removed deck at 1880 4th Street.

Unless continued by the Planning Commission, these cases will be heard by the City Council on Tuesday, October 9, 2018.

Comments may be presented at the public hearing or filed with the City Clerk until 4:30 p.m. on the Friday before the hearing. Each response will be considered before the Planning Commission makes a recommendation to the City Council. If there are questions concerning these applications, please call the City's Planning and Zoning Office at (651) 429-8561.

Kara Coustry, City Clerk
Published one time in the White Bear Press on September 12, 2018.

WHITE BEAR TOWNSHIP
PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Town of White Bear Board of Supervisors will hold an informational public hearing regarding the annual presentation of the Town's Storm Water Pollution Prevention Program at the Town Hall on October 15, 2018. This hearing will be held at 7:00 PM, or as soon thereafter as the matter can be reached on the agenda. The agenda for the informational public hearing will include:

1. A Presentation about implementation of the Town's Surface Water Pollution Prevention Program in 2017,
2. Affording interested persons an opportunity to make oral statements concerning the Storm Water Pollution Prevention Program,
3. Consideration of relevant materials that interested persons submit concerning the Storm Water Pollution Prevention Program; and
4. Consideration of public input in making adjustments to the 2018 implementation plan for the Storm Water Pollution Prevention Program.

This meeting will be held at the Town Hall, 4200 Otter Lake Road, White Bear Township, Minnesota.

This meeting is open to the public. If you have any questions, or need special accommodations, please call (651) 747-2750.

William Short, Town Clerk
Published one time in the White Bear Press on September 12, 2018.

RAMSEY COUNTY, MINNESOTA
PUBLIC NOTICE
SOLICITATION OPPORTUNITIES

Ramsey County releases solicitation opportunities on Onvia DemandStar its official web site as an alternative method of public notice pursuant to Section 331A.03 of the Minnesota Statutes. Individuals may go to the Onvia DemandStar section of the Ramsey County Purchasing Webpage www.co.ramsey.mn.us/ba/procure.htm to access registration information.

SOLICITATION: RFB-SHRF11964R-KR
OPENING DATE: 09/27/18
PROJECT DESCRIPTION: RAMSEY COUNTY SEEKS A CONTRACTOR TO FURNISH AND DELIVER NIGHT VISION EQUIPMENT FOR THE SPECIAL WEAPONS AND TACTICS (SWAT) TEAM ON AN AS-NEEDED BASIS.

SOLICITATION: RFP-SHRF11415-KR
OPENING DATE: NOVEMBER 08, 2018
PROJECT DESCRIPTION: RAMSEY COUNTY, THROUGH THE SHERIFF'S OFFICE DEPARTMENT, SEEKS PROPOSAL RESPONSES FROM CONTRACTORS TO ESTABLISH A FIVE (5) YEAR CONTRACT WITH A SINGLE CONTRACTOR TO PROVIDE AN INMATE PHONE CALLING SYSTEM AND SERVICES AT THE ADULT DETENTION CENTER.

PRE-SOLICITATION RESPONSE CONFERENCE: LAW ENFORCEMENT CENTER, 425 GROVE STREET, SAINT PAUL, MINNESOTA 55101, TRAINING ROOM B (SECOND FLOOR). 10/03/18. 9:00 A.M. CST.

Published one time in the Vadnais Heights Press on September 12, 2018.

Town Board Meeting
October 15, 2018

Agenda Number: **8A – New Business**

Building Inspector Item:

Subject: **3rd Quarter Construction Report**

Documentation: Building Inspector Information

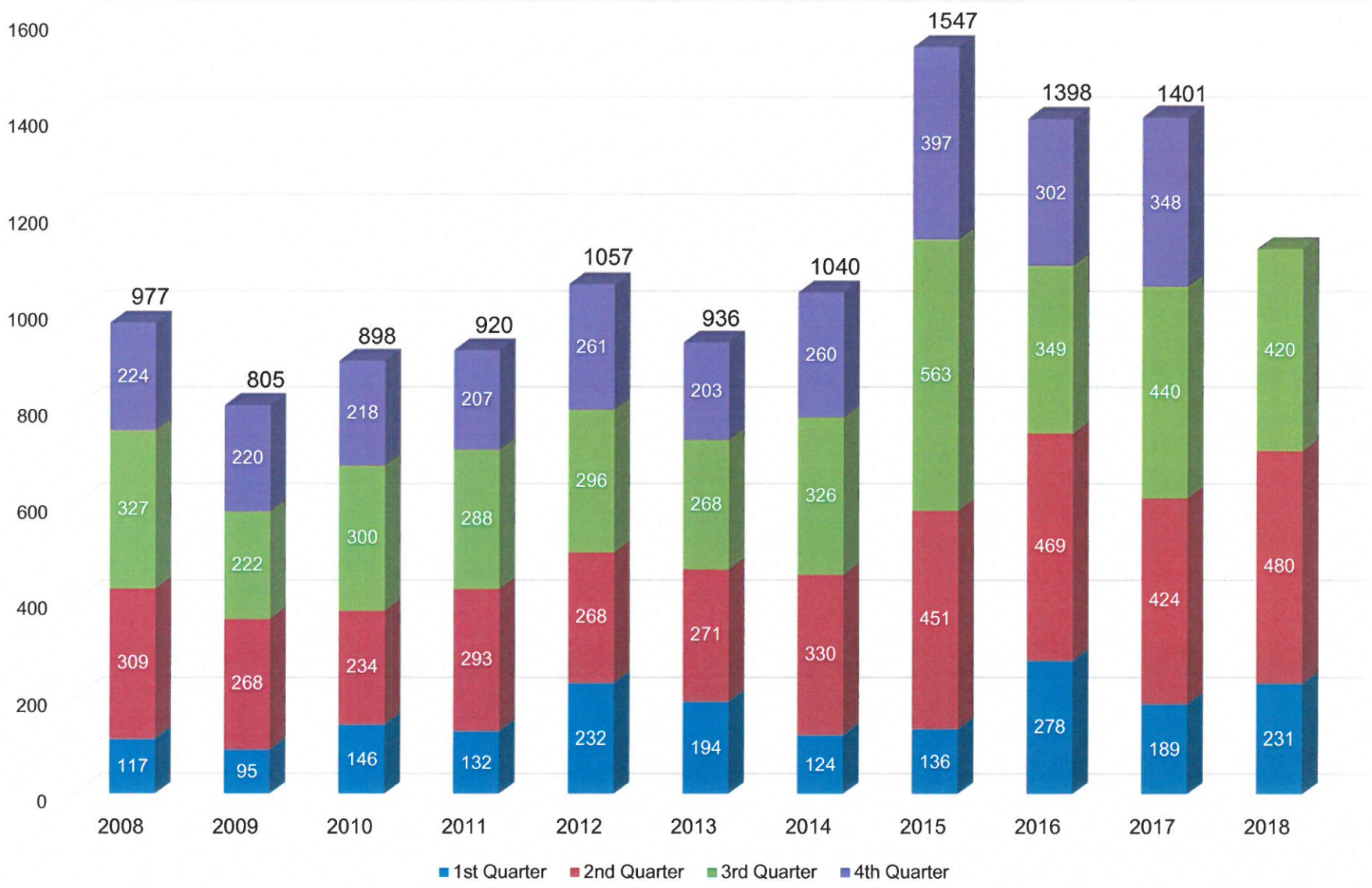
Action / Motion for Consideration:

Building Inspector Report at Meeting / Discuss

White Bear Township Construction Activity Report

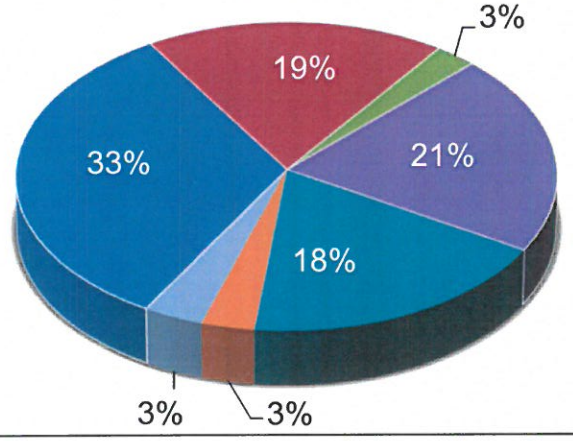
BUILDING PERMIT	SEPTEMBER 2018		2018 YEAR TO DATE		2017 YEAR TO DATE	
HOUSING	PERMITS	VALUATION	PERMITS	VALUATION	PERMITS	VALUATION
SINGLE FAMILY	1	231,000	10	2,657,000	19	4,485,000
TOWN HOME	-	-	-	-	-	-
TOTALS	**1**	**231,000**	**10**	**2,657,000**	**19**	**4,485,000**
MISCELL. RESIDENTIAL	PERMITS	VALUATION	PERMITS	VALUATION	PERMITS	VALUATION
REMODEL & ADDITIONS	10	330,750	54	1,846,920	55	1,542,899
SIDING, ROOF. & WIND.	48	507,671	337	3,648,313	294	2,763,273
DECKS	2	16,600	31	186,400	35	198,060
SWIMMING POOLS	-	-	2	27,500	2	2,000
ACCESSORY BLDG	4	57,973	6	92,973	11	174,500
OTHER	1	7,500	28	141,828	19	589,707
TOTALS	**65**	**920,494**	**458**	**5,943,933**	**416**	**5,270,439**
COMMERCIAL	PERMITS	VALUATION	PERMITS	VALUATION	PERMITS	VALUATION
PUBLIC BUILDINGS	-	-	-	-	2	135,800
INDUSTRIAL	-	-	-	-	-	-
BUSINESS	-	-	1	610,000	1	25,000
REMODEL & ADDITIONS	-	-	10	3,200,600	3	260,000
OTHER	-	-	10	300,398	6	149,500
TOTALS	**-**	**-**	**21**	**4,110,998**	**12**	**570,300**
MISCELLANEOUS	PERMITS	VALUATION	PERMITS	VALUATION	PERMITS	VALUATION
DEMOLITION	**-**	**-**	**2**	**-**	**2**	**-**
	PERMITS	VALUATION	PERMITS	VALUATION	PERMITS	VALUATION
TOTALS	**66**	**1,151,494**	**491**	**12,711,931**	**449**	**10,325,739**
PERMIT REVENUE		**$ 10,355**		**$ 102,785**		**$ 101,607**

White Bear Township
Total Number of Permits Issued by Year



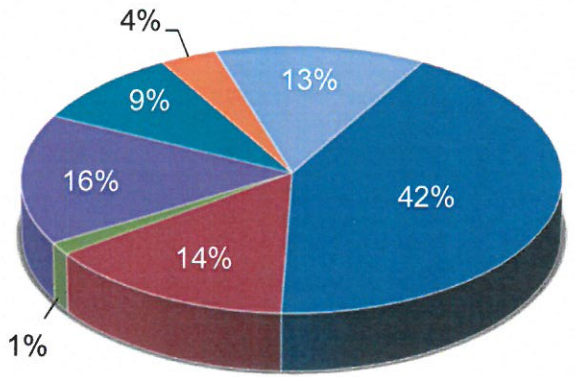
2018 WHITE BEAR TOWNSHIP PERMITS

1st Quarter Permits Issued by Type



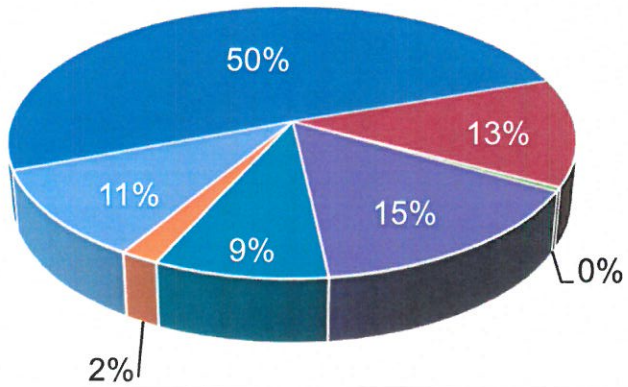
- Building (76)
- Electrical (43)
- Fire (6)
- Mechanical (49)
- Plumbing (42)
- Utilities (7)
- Zoning (8)

2nd Quarter Permits Issued by Type



- Building (203)
- Electrical (69)
- Fire (7)
- Mechanical (76)
- Plumbing (45)
- Utilities (17)
- Zoning (63)

3rd Quarter Permits Issued by Type



- Building (212)
- Electrical (54)
- Fire (2)
- Mechanical (63)
- Plumbing (36)
- Utilities (8)
- Zoning (45)

4th Quarter Permits Issued by Type

- Building
- Electrical
- Fire
- Mechanical
- Plumbing
- Utilities
- Zoning

Town Board Meeting
October 15, 2018

Agenda Number: **8B – New Business**

Town Planner Item:

Subject: **2019 SCORE Grant Application** - Approve

Documentation: SCORE Grant Application /
Proposed Resolution Approving the 2019 SCORE Grant

Action / Motion for Consideration:

Town Planner Report at Meeting / Discuss

Based on Staff Review & Recommendation:

1) Approve the 2019 SCORE Grant Application Requesting $31,519.00 in Grant Funds

2) Adopt the **Resolution Approving the 2019 SCORE Grant**

Prudhon – Moves **Ruzek – Seconds**

Minutes
Town Board Meeting
October 16, 2017

SCORE GRANT – APPROVAL: The Planner reported that the annual SCORE grant is provided to municipalities in Ramsey County to assist with recycling programs. The Town applied for the funding and the proposed funding amount requested is $27,335.00. The Town proposes to use the grant funding for the following: 1) Administration - $8,000; 2) Promotional - $870.00; 3) Recycling containers - $28,004.00; 4) Collection of recyclables - $15,651 (electronics, tires, batteries at the annual spring clean-up).

Prudhon moved, based on Staff review and recommendation to approve the submission of the 2018 SCORE Funding Grand application to Ramsey County requesting $27,335.00 funding for 2018 and approve the Resolution Approving the 2018 SCORE Grant. Ruzek seconded. Ayes all.

RAMSEY COUNTY Minnesota

Program: R&E Board - Ramsey County Program

CONTACT PROGRAM MANAGER

WHITE BEAR TOWNSHIP

← WORKSPACE

SCORE GRANT APPLICATION SURVEY

EXPORT

Annual | 2019

Please refer to the 2019 SCORE Application Instructions for more information on completing this application.

All items must be submitted for the application to be complete.

Step 1

Municipality:

White Bear Township

Contact Person:

Tom Riedesel

Address:

1281 Hammond Road

Phone #:

651-747-2761

Email:

tom.riedesel@whitebear

Population: 11,100

Source of population data: Comprehensive Plan Projection

SCORE grant base funding amount ($):

26,476.00

Incentive funding amount ($):

5,043.00

Total grant request ($):

31,519.00

Is this estimated or finalized amount?

- (•) Estimated Amount
- ( ) Finalized Amount

The following expenses are eligible for SCORE reimbursement. Check the box(es) next to the budget categories this SCORE funding will be spent:

- [x] Administration
- [x] Promotion Activities
- [x] Equipment

- [x] Collection of Recyclables
- [ ] Organics Collection

Step 2

Review your 2019 Recycling Performance Work Plan.
The work plan below outlines the minimum requirements for your recycling program. Please review each requirement carefully.

2019 Recycling Performance Work Plan - Minimum Requirements

1. Complete all 2019 SCORE requirements, including reporting on time and submitting a mid-year status report.
2. Provide outreach to all residents about the municipality's recycling program and submit copies of materials to Ramsey County.
3. Use Ramsey County materials and information when and where appropriate to promote increased recycling, reuse and repair (e.g., Fix-it Clinics), medicine collection, household hazardous waste, organic waste and yard waste participation.
    a. Send materials to Ramsey County for review prior to distribution.
    b. Include county contact information on materials:
        i. 24/7 Recycling & Disposal Hotline: 651-633-EASY (3279)
        ii. RamseyRecycles.com
    c. Provide links to the Ramsey County web pages on municipality website.
4. Use hauler data to identify those not recycling and target educational materials
5. Ensure all multi-unit properties are meeting State law requirements to recycle and are receiving free Ramsey County resources. Verify through county database property information.
6. Increase opportunities for recycling in public spaces.
    a. All recycling bins must be paired with a trash bin and in good condition.
    b. Labels must be readable.
    c. Promote Ramsey County's event container lending program and green event planning tips.
7. Implement a "Green" purchasing procurement policy for city functions and facilities to use reusable, recyclable or compostable packaging.
8. Ensure the collection of textiles is available to all residents through special collection or drop-off opportunities.
9. Enforce recycling contracts, including the assessment of penalties for non-compliance.
    a. Audit reporting by obtaining hauler weight tickets.
    b. Have labels replaced if not readable.
10. Attend County Recycling Coordinator meetings and attend a yearly composition study.

I have reviewed and understand the minimum requirements. *

- [x]

Do you have additional strategies to add to the work plan?

- ( ) Yes
- (•) No

Step 3

In addition to base funding, the municipality is eligible to receive up to two optional incentive payments.

To receive one incentive payment, the municipality must implement one incentive option below. To receive two incentive payments, the municipality must implement two incentive options below.

You are eligible to receive up to two payments. Each payment is worth ($):

2,521.50

Would you like to apply for incentive funding?

- (•) Yes
- ( ) No

Identify up to 2 Incentive Options. The option(s) identified will become part of the Recycling Performance Work Plan: *

- [x] Bulky Waste Collection. Establish an efficient and effective program to provide collection of bulky waste items from single family homes at no cost or a discounted price and that also prioritizes recycling and/or reuse.
- [ ] Engage Small Businesses. Include small businesses in curbside recycling services and actively engage those businesses to participate in the service.
- [ ] Promote BizRecycling. Actively work with and promote BizRecycling to businesses and institutions in collaboration with Ramsey/Washington Recycling & Energy for organics recycling and food waste reduction programs.

☐ Organics drop-off site. Co-sponsor an organics drop-off site with the county (for suburban cities only).

☐ Additional qualifying activity. Must be approved beforehand by Ramsey County.

Please briefly describe how you will implement your chosen incentive(s).

The Town contracts with Republic Services and our residents are allowed to have up to 3 bulky items picked up per your at no additional charge.

Step 4

Municipal recycling budget.

After saving this application you will be asked to attach a copy of your 2019 municipal budget for ALL recycling activities, including ALL funding sources. If a 2019 budget has not been adopted yet, attach the most recent draft.

If the budget doesn't list ALL expenditures and revenues specific to recycling, add a supplemental table to identify this information.

A final copy of the adopted 2019 budget must be submitted by January 15, 2019.

Other Attachments

1. A resolution from your governing body requesting 2019 SCORE funding **OR** a certified copy of the official proceedings at which the request was approved.
2. Verification of Compliance with Minnesota Statute 115A.471 and 115A.46.

Please download the Waste Verification document here. You will be prompted to upload a completed Waste Verification document after saving this application.

Step 5

I certify that this document was prepared under my direction or supervision and that the information is true, accurate and complete to the best of my knowledge. *

☑

Name: *

Tom Riedesel

Title: *

Planner

FILE ATTACHMENTS

Click the 'Upload File' button to attach supporting documents as required.

*** Maximum file size is 5 MB.**

1. Municipal recycling budget: *

Upload File

FILE REQUIRED

2. Resolution from your governing body requesting SCORE funding:

Upload File

3. Certified copy of the official proceedings at which the request was approved:

Upload File

4. Verification of Compliance with Minnesota Statute 115A.471 and 115A.46: *

Upload File

FILE REQUIRED

SAVE DRAFT MARK COMPLETE DELETE

Created: Oct 5, 2018 at 01:10 PM CDT by terese.bordeau@CO.RAMSEY.MN.US

Last Updated: Oct 8, 2018 at 01:43 PM CDT by tom.riedesel@whitebeartownship.org

EXTRACT OF MINUTES OF A MEETING OF THE TOWN BOARD OF THE TOWN OF WHITE BEAR, MINNESOTA, HELD ON OCTOBER 15, 2018

Pursuant to due call and notice thereof, a Special meeting of the Town Board of the Town of White Bear, Minnesota, was duly held at Heritage Hall in said Town on October 15, 201, at 7:00 p.m.

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

Supervisor Prudhon introduced the following Resolution and moved its adoption:

RESOLUTION APPROVING THE 2019 SCORE GRANT

WHEREAS, the Ramsey County Department of Public Health, Solid Waste Division, is making funds available of $28,594.08 to White Bear Township for the year 2019,

AND WHEREAS, White Bear Township has completed the grant application for submittal to Ramsey County which provides a breakdown of how White Bear Township will spend the grant monies,

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

That the Town Board of the Town of White Bear will accept the grant money provided by SCORE funds and will administer the money as provided by the 2019 SCORE Funding Grant Application.

The motion for the adoption of the foregoing Resolution was duly seconded by Supervisor Ruzek, 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 Special Meeting of the Town Board of the Town held on the 15th 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 2018 SCORE grant.

WITNESS my hand as such Clerk and the Town Clerk's Seal this 15th day of October, 2018.

_____
TOWN CLERK, TOWN OF WHITE BEAR, MINN.

Town Board Meeting
October 15, 2018

Agenda Number: **8C – New Business**

Town Planner Item:

Subject: **West Avenue Handicapped Accessibility Improvements** – Receive Quotes & Award Contract

Documentation: Information to Be Handed Out at Meeting

Action / Motion for Consideration:

Town Planner Report at Meeting / Discuss

Town Board Meeting
October 15, 2018

Agenda Number: **8D – General Business**

Subject: **Ramsey County Sheriff's Office Contract** – Approve the 2019-2021 Contract

Documentation: Contract

Action / Motion for Consideration:

Town Clerk Report at Meeting / Discuss

Based on Town Attorney & Staff Review & Recommendation Approve the Contract with the Ramsey County Sheriff's Office for Law Enforcement Services from January 1, 2019 Through December 31, 2021

AGREEMENT FOR
LAW ENFORCEMENT SERVICES

This is an Agreement between the County of Ramsey (hereinafter referred to as the "COUNTY"), and the Township of White Bear (hereinafter referred to as the "MUNICIPALITY"), to provide law enforcement services to the MUNICIPALITY for the period commencing January 1, 2019.

WHEREAS, the COUNTY has a statutory obligation to provide police protection within Ramsey County; and

WHEREAS, the COUNTY has previously contracted to provide law enforcement services to the cities of Arden Hills, Falcon Heights, Little Canada, North Oaks, Shoreview, Vadnais Heights, and to White Bear Township (hereinafter collectively referred to as the "MUNICIPALITIES"); and

WHEREAS, the MUNICIPALITY has determined that it is in the best interests of the MUNICIPALITY to continue to contract with the COUNTY for law enforcement services, thereby allowing for the allocation of overhead and other administrative costs over a larger population; and

WHEREAS, the parties to this Agreement intend to contract for law enforcement functions within the political boundaries of the MUNICIPALITY through the Ramsey County Sheriff; and

WHEREAS, the COUNTY is agreeable to rendering such services on the terms and conditions hereinafter set forth; and

WHEREAS, such contracts are authorized and provided for by the provisions of Minnesota Statutes Sections 471.59 and 436.05, and Laws 1959, Chapter 372.

NOW, THEREFORE, IN CONSIDERATION OF the mutual undertakings set forth herein, the COUNTY and the MUNICIPALITY agree as follows:

A. SCOPE OF SERVICES

1. The COUNTY agrees, through the Ramsey County Sheriff's Office, to provide law enforcement services to the MUNICIPALITY which will include, but not be limited to, the following:
   a. Patrol services with random patrolling of residential areas, businesses, parks, and other public property areas;
   b. Enforcement of Minnesota State Statutes and the ordinances of the MUNICIPALITY;
   c. Traffic enforcement including the regular use of radar or laser as a speed deterrent;
   d. Crime prevention programs such as Neighborhood Watch, as well as other business and residential crime prevention programs;
   e. Criminal investigative and crime scene processing services;
   f. Follow up on reported crimes with persons who reported the crime including routine notification by telephone or mail as to the status of the investigation;
   g. Responses to medical, fire, and other emergencies;
   h. Coordination of volunteer programs such as the Community Affairs Officer and Reserve Programs;

i. Driver's license inspections, background checks and license enforcement services as called for under applicable state law and ordinances of the MUNICIPALITY;
j. Special event traffic patrol and patrol services for community festivals or other special events; and
k. Attendance at Public Safety or City Council meetings as requested by the MUNICIPALITY; and
l. Animal control services.

2. The manner and standards of performance, the discipline of officers, and other matters incident to the provision of services under this Agreement, and the control of personnel so employed, shall be subject solely to the control of the COUNTY. In the event of a dispute between the parties as to the extent of the duties and functions to be rendered hereunder, or the level or manner of performance of such service, the determination thereof made by the Sheriff of the COUNTY shall be final and conclusive as between the parties hereto, subject however, to the provisions of Section A.3. herein.

3. In the event the MUNICIPALITY, through its elected body or authorized agent, notifies the COUNTY that the MUNICIPALITY is dissatisfied with the assignment of personnel for the performance of services under this Agreement and requests a change in personnel, the COUNTY shall make every effort to effect a change in the assignment of personnel, provided that such a change does not jeopardize the ability of the COUNTY to provide services to other areas of Ramsey County in a timely and efficient manner.

4. The COUNTY'S contractual obligations under this Agreement do not lessen the COUNTY'S obligation to provide patrol and police protection services to Bellaire Beach, area lakes, Ramsey County open space areas, and regional, park areas owned or operated by Ramsey County and all other areas under COUNTY jurisdiction located within the political boundaries of the MUNICIPALITY. The COUNTY'S contractual obligations under this Agreement shall also recognize the underlying, statutory obligations that Ramsey County has to provide police protection to the MUNICIPALITY.

5. Services shall be provided 24 hours per day and shall be performed by the number of deputies and other personnel budgeted for in the COUNTY'S Approved Budget for these services to the MUNICIPALITIES.

6. To facilitate the COUNTY'S performance pursuant to this Agreement, the MUNICIPALITY agrees that the COUNTY shall have full cooperation and assistance from the MUNICIPALITY, its officers, agents and employees. The MUNICIPALITY shall designate a liaison to the Ramsey County Sheriff's Office. The liaison shall attend meetings of the Sheriffs Contract Communities Committee and shall represent its respective MUNICIPALITY at the meetings. The purpose of these meetings is to develop short-term and long range plans and to coordinate and analyze police service, to develop budget parameters for distributing costs among the MUNICIPALITIES, and other related public service issues. The Sheriff's Contract Communities Committee shall also review any disputes which arise between the MUNICIPALITIES and/or Sheriff's Office and recommend a resolution.

7. The COUNTY shall furnish and supply all necessary labor, supervision, equipment, communication facilities and dispatching, and supplies necessary to provide services pursuant to this Agreement.

8. All deputy sheriffs, clerks, and all other COUNTY personnel performing duties pursuant to this Agreement shall at all times be considered employees of the COUNTY for all purposes.

9. The name of each of the MUNICIPALITIES that contract with the Sheriff's Office for law enforcement services shall be affixed to all squad cars and other major pieces of equipment used primarily within these MUNICIPALITIES.

B. ASSUMPTION OF LIABILITIES/INSURANCE

1. Except as otherwise provided, the MUNICIPALITY shall not be called upon to assume any liability for the direct payment of any salaries, wages, or other compensation to any COUNTY personnel performing services pursuant to this Agreement for said MUNICIPALITY, and the COUNTY hereby assumes said liabilities.

2. Except as herein otherwise specified, the MUNICIPALITY shall not be liable for compensation or indemnity to any COUNTY employee for injury or sickness arising out of the performance of services pursuant to this Agreement, and the COUNTY hereby agrees to hold harmless the MUNICIPALITY against any such claim.

3. The MUNICIPALITY, its officers, and employees, shall not be deemed to assume any liability for the intentional or negligent acts of the COUNTY or the COUNTY'S employees performing services pursuant to this Agreement, and the COUNTY shall hold the MUNICIPALITY, its officers, and employees harmless from and shall defend and indemnify the MUNICIPALITY, its officers, and employees against any claim for damages arising out of the COUNTY'S performance of services pursuant to this Agreement.

4. The COUNTY, its officers, and employees shall not be deemed to assume any liability for intentional or negligent acts of the MUNICIPALITY or of any other officers, agent or employee thereof, and the MUNICIPALITY shall hold the COUNTY and its officers and employees harmless from, and shall defend and indemnify the COUNTY and its officers and employees against any claim for damages arising out of the MUNICIPALITY'S performance of its obligations pursuant to this Agreement.

5. The COUNTY agrees to maintain, during the term of this Agreement, automobile, general liability, workers' compensation, and professional liability insurance in amounts deemed appropriate by the COUNTY. The COUNTY shall name the MUNICIPALITY as an additional insured on these policies except for the workers' compensation policy. The MUNICIPALITY agrees to pay, as a part of the actual cost as provided in Section 6 below, a pro rata share of the COUNTY'S insurance costs. These costs shall include the costs for any assessments and credits for any dividends by participating in any insurance pools or trusts. The COUNTY may elect to self-insure all or any portion of these risks. If the COUNTY cannot obtain insurance and/or elects to self-insure, the MUNICIPALITY shall pay a pro rata share of the costs of self-insurance, based on each MUNICIPALITY'S share of the approved annual budget. Insurance costs as they relate to insurance coverage shall include premiums and deductibles. Costs of self-insurance shall include reserves, claims and damage payments, and administration costs required to maintain self-insurance.

6. The MUNICIPALITY acknowledges that the COUNTY may, in an effort to provide the best insurance coverage at the most economical cost, become a member of the

Minnesota Counties Insurance Trust or some similar organization; and the MUNICIPALITY further acknowledges that membership in such an organization may be for a fixed minimum term and may expose the COUNTY to some type of contingent cost liability, such as debts, obligations and liabilities, in the event that the COUNTY withdraws its membership. The MUNICIPALITY agrees to reimburse the COUNTY for the MUNICIPALITY'S pro rata share of any such contingent cost liability arising during the term of this Agreement for Law Enforcement Services and assessed against the COUNTY. Upon notification to the COUNTY of any such contingent cost liability, the COUNTY will notify the MUNICIPALITY in a timely manner.

C. TERM OF AGREEMENT/TERMINATION

1. The term of this Agreement shall commence on January 1, 2019, and shall continue through December 31, 2021 ("Term").

2. If either party intends not to renew this Agreement at the end of its Term, the party must notify the other party and other MUNICIPALITIES in writing at least nine (9) calendar months prior to the end of the contract Term. If either party has not approved a successor agreement at the end of the Term, the COUNTY will continue to provide law enforcement services in accordance with this Agreement.

3. Either party may terminate this Agreement at the end of a calendar year and prior to the end of the Term of the Agreement by notifying the other party to this Agreement and the other MUNICIPALITIES in writing of their intent to terminate the Agreement at least nine (9) calendar months prior to the end of the calendar year.

4. Notice to the COUNTY shall be given to the County Manager and Ramsey County Sheriff, and Notice to the MUNICIPALITY shall be given to the MUNICIPALITY'S Clerk-Treasurer. Notice to the other MUNICIPALITIES will be given in accordance with the notice provisions of the contracts between the COUNTY and the other MUNICIPALITIES.

D. COST AND PAYMENT

1. The MUNICIPALITY agrees to pay the COUNTY the actual cost of providing all services covered by this Agreement. Actual cost shall mean the MUNICIPALITY'S pro rata share of the COUNTY'S total cost of providing patrol and police protection services as described in this Agreement to the MUNICIPALITIES with which the COUNTY has agreements for the current contract year, including, but not limited to the following: salaries of employees engaged in performing said services, including vacation and sick leave; mileage; uniforms; public employees retirement contributions; workers' compensation, automobile, general liability and police professional liability insurance costs or the cost of self-insurance; general overhead, including indirect expenses and supplies, radio unit expense, and health and welfare expense. The term "costs" as used herein shall not include items of expense attributable to services or facilities normally provided or available to all cities within the COUNTY as part of the COUNTY'S obligation to enforce state law. Computation of actual costs hereunder shall be made by the Ramsey County Finance Department based on information provided by the Sheriff.

2. During the term of this Agreement, the COUNTY shall annually submit a Budget Estimate for the following year of services to the MUNICIPALITY no later than August 1 of the current year. Said Budget Estimate will

be for the limited purpose of better enabling the MUNICIPALITY to estimate its annual budget and tax levy. It is understood by the parties to this Agreement that said Budget Estimate shall in no way prevent the COUNTY from charging its actual costs.

3. If the MUNICIPALITY does not allocate the necessary funding for its proportionate share of the COUNTY'S Approved Budget to the MUNICIPALITIES for a given year, the MUNICIPALITY and the COUNTY must meet by January 31 of the budget year in question to review and reach agreement on modifications to service levels provided by the COUNTY that are consistent with the MUNICIPALITY'S budget and that recognize the impact of these service level changes to other MUNICIPALITIES that contract with the COUNTY for these services.

4. Unless the COUNTY and MUNICIPALITY have reached agreement pursuant to the prior paragraph for a change in the MUNICIPALITY'S contribution, the COUNTY shall bill the MUNICIPALITY on a monthly basis in advance in an amount equal to one-twelfth (1/12) of the Budget Estimate for services to the MUNICIPALITY. The MUNICIPALITY shall pay the COUNTY within 45 days of receipt of the monthly statement. At the close of the contract year, the COUNTY will reconcile the current year Budget Estimate and current year actual costs, shall provide a copy of the current year actual cost to the MUNICIPALITY, and shall either give a credit to the MUNICIPALITY or bill the MUNICIPALITY for additional costs in excess of the Budget Estimate.

E. GENERAL PROVISIONS

1. Notice to the COUNTY shall be given to the County Manager and Ramsey County Sheriff, and Notice to the MUNICIPALITY shall be given to the MUNICIPALITY'S Clerk-Treasurer. Notice to the other MUNICIPALITIES will be given in accordance with the notice provisions of the contracts between the COUNTY and the other MUNICIPALITIES.

2. It is understood that prosecutions for violations of ordinances or state statutes, together with disposition of all fines collected pursuant thereto, shall be in accordance with state statutes, state rules, and judicial orders.

3. The Ramsey County Sheriff's Office shall submit to the MUNICIPALITY quarterly activity reports detailing the activities of the Sheriff's Office under this agreement within the MUNICIPALITY. Said reports shall contain, at a minimum, the number of calls answered and the number of citations issued. However, no information will be provided which would violate the State Data Practices Act.

4. The MUNICIPALITY may contract with the COUNTY for additional law enforcement services above and beyond those provided in this Agreement.

5. Any alterations, variations, modifications, or waivers of provisions of this Agreement shall only be valid when they have been reduced to writing, signed by authorized representatives of the COUNTY and the MUNICIPALITY and attached to the original of this Agreement.

IN WITNESS WHEREOF, the MUNICIPALITY, by resolution duly adopted by its Council has caused this Agreement to be signed by the Board of Supervisors Chair Robert J. Kermes and Clerk-Treasurer William F. Short, and the seal of the MUNICIPALITY to be affixed hereto on the _____ of _____, 2018 and the COUNTY, by resolution of its Board of County Commissioners, has caused this Agreement to be signed by the Chair and Chief Clerk of said Board on the _____ day of _____.

COUNTY OF RAMSEY

By:_____
Jim McDonough, Chair
Board of Ramsey County Commissioners

By:_____
Janet Guthrie, Chief Clerk
Board of Ramsey County Commissioner

TOWNSHIP OF WHITE BEAR

By:_____
Robert J. Kermes, Chair
Board of Supervisors

By:_____
William F. Short
Clerk-Treasurer

APPROVAL RECOMMENDED:

By:_____
Jack Serier
Sheriff of Ramsey County

APPROVED AS TO FORM:

By:_____
Assistant Ramsey County Attorney

Town Board Meeting
October 15, 2018

Agenda Number: **8E – General Business**

Subject: **Succession Planning:**

1. Authorize Hiring of Patrick Christopherson.
2. Approve the Town Clerk-Treasurer Employment Agreement

Documentation: Town Clerk-Treasurer Employment Agreement

Action / Motion for Consideration:

Report at Meeting / Discuss

Authorize the Hiring of Patrick Christopherson as the New Town Clerk-Treasurer Commencing on November 13, 2018

TOWN CLERK-TREASURER EMPLOYMENT AGREEMENT

AGREEMENT made this 5th day of October, 2018, by and between the Town of White Bear, a Minnesota political subdivision, (hereinafter called "Employer"), and Patrick Christopherson (hereinafter called "Employee").

The parties agree as follows:

START DATE: Employee will begin his duties and report to Township Offices on the 13th Day of November 2018.

1. **POSITION**. Employer agrees to employ Employee as it's Clerk-Treasurer. Employee agrees to serve as Clerk-Treasurer in accordance with Minnesota state statutes and Township ordinances and to perform such other legally permissible and proper duties and functions as the Town Board shall from time to time assign.

2. **PENSION PLAN**. Employer agrees to enroll the Employee into the Minnesota Public Employee Retirement System (PERA) and to make the appropriate contributions on the Employee's behalf.

3. **SALARY**. Employer shall pay Employee at Level 6 of 6 of the Township's Pay Schedule; currently at $123,500 per year. This includes longevity pay at the 5-year service level. In January of 2019, Employee will receive the same COLA increase afforded all other Township employees.

4. **PERFORMANCE EVALUATION.** Employer shall, at the end of 180 days, have a performance evaluation with the Employee. A performance evaluation shall be conducted once annually. The process, at a minimum, shall include the opportunity for the Employer to: (1) prepare a written evaluation and (2) for Employer and Employee to meet and discuss the evaluation.

5. **FLEX TIME.** Employee shall be credited with 10 (ten) years completed service. Employee shall receive 56 hours of banked Flex Leave at the time of Employment and in accordance with the Employee Handbook. This amount is in addition to that which the Employee will be earning.

6. **HOLIDAYS**. Employer shall provide Employee the same holidays as enjoyed by other employees in accordance with the Employee Handbook.

7. **CAR ALLOWANCE.** The Employee shall receive $4,000.00 annually in car allowance, which will be paid with Employee's bi-weekly payroll. The car allowance may be adjusted annually by the Town Board.

8. **GENERAL INSURANCE**. Employer shall provide Employee the same group hospital, medical, life and disability insurance benefits as provided to all other employees and in accordance with the Employee Handbook.

9. **DUES, SUBSCRIPTIONS, PROFESSIONAL DEVELOPMENT, AND CIVIC MEMBERSHIP.** Employer recognizes the desirability of participation in and before local civic groups, professional associations, and/or professional development opportunities. If the Employee desires to be a member and participate with such groups, at Township expense, then approval may or may not be made by the Town Board.

10. **HOURS OF WORK.** The Employer recognizes that Employee will devote a great deal of time outside of the normal office hours with the Township Board and Commissions. The Employee will be allowed to establish an appropriate work schedule with approval of the Town Board.

11. **TERM OF EMPLOYMENT.** Employee's employment shall be for an indefinite period of time commencing on November 13, 2018. In the event that Employee is terminated by the Employer during such time that Employee is willing and able to perform the duties of Clerk-Treasurer, the Employer agrees to pay Employee at the time of receipt of his last pay check, a lump sum cash payment equal to 3 months aggregate salary and to continue to provide and pay for all benefits for a period of 3 months following termination unless prohibited by law.
    a. However, in the event Employee is terminated because of malfeasance or misfeasance in office, gross misconduct, conviction of a felony, or conviction of an illegal act involving personal gain to Employee, then the Employer shall have no obligation to pay the termination benefits.
    b. If the Employee voluntarily resigns as Clerk-Treasurer, then the Employer shall have no obligation to pay the termination benefits. Employee shall provide a minimum of forty-five (45) days' notice unless the parties otherwise agree.

12. **OUTSIDE ACTIVITIES.** Employee shall not engage in teaching, consulting or other non-Township connected activity without the prior written approval of Employer.

13. **INDEMNIFICATION.** Beyond that required by the Federal, State, or Local Law, Employer shall defend, save harmless and indemnify Employee against any tort, professional liability claim or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of Employee's duties as Clerk-Treasurer or resulting from the exercise of judgment or discretion in connection with the performance of program duties or responsibilities, unless the act or omission involved willful or wanton conduct. Legal representation, if provided by Employer for Employee, shall extend until a final determination of the legal action including any appeals brought by either party. The Employer shall indemnify Employee against any and all losses, damages, judgments, interest, settlements, fines, court costs and other reasonable costs and expenses of legal proceedings including attorney fees, and other liabilities incurred by, imposed upon, or suffered by such Employee in connection with or resulting from any claim, action, suit, or proceedings, actual or threatened, arising out of or in connection with the performance of his/her duties. Any settlement of any claim must be made with the prior approval of the Employer in order for the indemnification, as provided in this Section to be available.

14. **OTHER TERMS AND CONDITIONS OF EMPLOYMENT.** The Employer shall fix any such other terms and conditions of employment, as it may determine from time to time, relating to the performance of the Employee, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this agreement, the Township ordinances or any other law.

    a. Except as otherwise provided in this agreement, the Employee shall be entitled to the equivalent benefits that are enjoyed by other appointed officials, appointed employees, department heads or general employees of the Employer as provided in the Township ordinances and the Employee Handbook.

IN WITNESS WHEREOF, Employer has caused this Agreement to be signed and executed on its

behalf by its Mayor and Employee has signed this Agreement, in duplicate, the day and year first written above.

EMPLOYER:
TOWN OF WHITE BEAR, MINNESOTA

Bob Kermes, Board Chair

EMPLOYEE:

Patrick Christopherson

Town Board Meeting
October 15, 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