



# WHITE BEAR TOWNSHIP

1858  
RAMSEY COUNTY  
MINNESOTA

## AGENDA TOWN BOARD MEETING MARCH 18, 2019

1281 HAMMOND ROAD  
WHITE BEAR TOWNSHIP, MN 55110

651-747-2750

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Email: [wbt@whitebeartownship.org](mailto:wbt@whitebeartownship.org)

Board of Supervisors  
ED M. PRUDHON, *Chair*  
STEVEN A. RUZEK  
SCOTT E. MCCUNE

1. **7:00 p.m.** Call to Order at Heritage Hall, 4200 Otter Lake Road.
2. Approval of Agenda (Additions/Deletions).
3. Approval of Payment of Bills.
4. Approval of Minutes of March 4, 2019 (Additions/Deletions).
5. **Consent Agenda:**
  - A. **Universal Forest Products** – Approve Second Amendment to the Hoffman Road Parking Lot Lease Agreement.
  - B. **Southwind Holdings LLC, 5960 Highway 61 SAC Determination Request** – Receive Request & Refer to March 29, 2019 Executive Meeting for Discussion.
  - C. **Construction Activity Report** – Receive.
6. **Old Business:**
  - A. **Administrative Office Upgrades** – Architectural Quotes.
7. **Public Hearing:**
  - A. **2040 Comprehensive Plan** – Authorize Submittal of the Proposed 2040 Comprehensive Plan to the Metropolitan Council.
8. **New Business:**

### 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 Planner Item:**

- A. **DNR Outdoor Recreation Grant Program** – Approve Submission of an Application.
  - B. **Saputo Shelter** – Update.
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  
March 18, 2019**

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

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

Approval of March 18, 2019 Agenda  
Approval of Payment of Bills

Approval of Minutes of March 4, 2019  
(Additions/Deletions)

**Documentation:** March 18, 2019 Agenda  
March 4, 2019 Town Board Minutes

**Action / Motion for Consideration:**

Call meeting to order:	7:00 p.m.
Approval of Agenda:	March 18, 2019 (additions/deletions)
Approval of Payment of Bills	
Approval of Minutes:	March 4, 2019 Town Board Minutes

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

Present: Supervisors: Prudhon, Ruzek, McCune; Clerk: Christopherson; Attorney: Beck; Planner: Riedesel; Engineer: Poppler; Public Works Director: Reed.

**APPROVAL OF AGENDA (Additions/Deletions):** Ruzek moved to approve the agenda as submitted, with the addition of a proposal for agenda item 9) the Township Administrative Office Upgrades, adding consent items 5A and 5B, and including supplemental information for agenda items 7A and 7B. McCune seconded. Ayes all.

**APPROVAL OF PAYMENT OF BILLS:** Ruzek moved to approve payment of bills. McCune seconded. Ayes.

**APPROVAL OF MINUTES OF FEBRUARY 20, 2018 (Additions/Deletions):** Ruzek moved approval of the Minutes of February 20, 2019. McCune seconded. Ayes all.

**CONSENT AGENDA:** McCune moved to authorize the Consent Agenda as follows: 5A) Authorize TKDA to Prepare a Presentation on GIS Implementation for the March 18, 2019 Town Board Meeting. 5B) Call Public Hearing for Monday, April 1, 2019 @ 7:00 p.m. to Consider a Request for Conditional Use Permit to Allow an Entryway Expansion – 2401 Buffalo. 5C) Call Public Hearing for Monday, April 1, 2019 @ 7:00 p.m. to Consider a Request for Conditional Use Permit & a 20.8' Right-of-Way Setback Variance 7 a 42.8' Lakeshore Setback Variance to All Construction of a Guest Cottage – 5508 West Bald Eagle Boulevard. Ruzek seconded. Ayes all.

**OLD BUSINESS — WATER METER REPLACEMENT AGREEMENT:** The Town Attorney stated that a response has been received from Sensus and Core & Main to the Town's settlement agreement. He stated that he is comfortable with their proposed language amendment. However, he recommended tabling the agreement to allow time for Town Board review. McCune asked about Exhibit A which states that the pricing is valid for 90 days and if that is correct since the 90 days will be expired before the agreement has final approval. In response to a question if the agreement addresses storage and cataloging of the removed meters the Town Attorney stated that it is covered in Section 3 which states: "it is hereby understood by the parties that the personal water meters are the property of the Town". As Core & Main remove the old water meters a tag shall be attached to each meter identifying the address from which the meter was removed. Ruzek stated that he would like to have some concept as to how they will tag the meters. The agreement states that the Town and Core & Main shall make arrangements for transferring the old meters to Town control. The Town Attorney stated the provision that the Board needs to consider is Section 3 which deals with the Town assuring that Core & Main and subcontractors be allowed access to replace all meters. The Engineer noted that the Agreement is on agenda for the Executive Meeting on Friday, March 29<sup>th</sup> and suggested that this be referred to that meeting. Engineering can address any concern prior to that meeting. He stated that Core & Main and Sensus have committed to the pricing. The Town Attorney stated that in Section 2 it does address the pricing for 90 days. Since that time will have lapsed he suggested that Core & Main be asked to confirm the pricing.

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The Town Attorney Beck looked through the Water Meter Replacement Agreement and is looking to make a minor alteration around Section 5 or 6 in the language so that the Township is protected in the event of indemnification.

Based on Town Attorney Review & Recommendation Ruzek motioned to Approve the Water Meter Replacement Agreement & Authorize Execution. McCune seconded. Ayes all.

**OLD BUSINESS — PAVEMENT MANAGEMENT PROGRAM:** The Township conducted a neighborhood meeting regarding the Pavement Management Program, and 30 residents attended. In advance of this meeting 246 properties were mailed a questionnaire. The Town received 45 percent responses to the data.

Another neighborhood meeting will be held after completion of the study exploring the degradation rate of streets under the snow.

Ruzek inquired about any contingencies if there is low approval to the plan. Poppler explained that they would have to start from scratch in following years. He explained that the town is choosing to do this now because it wants to take full advantage of the lifespan of the roads.

Prudhon brought up the fact that residents were not informed of the differences in assessment of commercial properties verses the assessment of residential properties. This point will be discussed and addressed further.

Fifth Street was done last year. The point is to address these streets in need of Mill & Overlay so they don't have to go through total reconstruction. The county is going to have construction north of County Road H2 this year.

More will be discussed at the Town Board Meeting April 1<sup>st</sup>.

**OLD BUSINESS — HR PROJECT:** Clerk Christopherson is proposing that the Township start updating the employee handbook in proper HR procedure, bringing it up to speed and into compliance with state and federal mandates.

Ruzek asked if this update will impact labor management with the union. Christopherson explained that Township doesn't need approval, but the MRA representative with whom he is working will coordinate the language in compliance of the union regulations as well.

This is a short project, as the Clerk said it should be finished by the end of May and in a \$14,000 budget, it will only take up about \$1,250. The Board will receive drafts for approval as the project progresses.

Ruzek made the motion to move forward with phase one of the HR project with MRA a cost up to \$1,250. McCune seconded. Ayes all.

**PUBLIC HEARING — 5518 & 5520 SHADYSIDE LANE:** Mike and Katherine Fleming, 5518 and 5520 Shadyside Lane request for 25' Right-of-Way setback variance and a 1' side yard

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setback variance to allow a minor subdivision/lot line rearrangement. Ruzek motioned to Note Proper Publication of the Hearing Notice in Newspaper & Waive Reading of Notice. McCune seconded. Ayes all.

Ruzek moved to open the public hearing. McCune seconded. Ayes all.

Riedesel summarized the Fleming request to construct a new home using the existing foundation and add a new garage at 5518 Shadyside Lane. A lot lien rearrangement is also proposed in order to accommodate a new garage at 5518 Shadyside. The additional property would come from 5520 Shadyside Lane.

The majority of the foundation planned to be reused meets setback requirements. An area of approximately 12 square feet encroaches one foot into the side yard setback area. The new garage is proposed 10' from the public right-of-way. An existing garage and shed, both of which encroach into the right-of-way setback area, are proposed to be removed. Both of these structures are located closer to the right-of-way than the proposed garage.

The Variance Board discussed the proposal. All were in agreement that a non-conformity is being decreased as two structures close to the right-of-way are being replaced by a new garage further from the right-of-way.

In addition, the limited lot size and configuration of the lot and right-of-way create a practical difficulty and green area requirements are being met.

Ruzek moved to open the public comment portion. McCune seconded. Ayes all.

Tom Fleming, the petitioner's son, was present and ensured the plans were correct according to the 25' right-of-way setback variance and the 1' side yard setback variance allotment. Prudhon brought up question of any future splits of the large plot. Fleming said there was not current discussion of it. In regards to this split, he had nothing more to add. Ruzek motioned to close the public portion of hearing. McCune seconded. Ayes all.

Based on Variance Board, Planning Commission & Town Staff Review and Recommendation, Ruzek motioned to Approve the 25' Right-of-Way Setback Variance, the 1' Side Yard Setback Variance Request, and the Request for Minor Subdivision/Lot Line Rearrangement at 5518 & 5520 Shadyside Lane to Accommodate Construction of a New Home with Detached Garage. McCune seconded. Ayes all.

**PUBLIC HEARING — 5858 CENTERVILLE ROAD:** Ruzek motioned to Note Proper Publication of the Hearing Notice in Newspaper & Waive Reading of Notice. McCune seconded. Ayes all. Ruzek moved to open the public hearing. McCune seconded. Ayes all.

Riedesel presented: SBA Communications Corp, is requesting Town approval of a Conditional Use Permit to allow additional antenna on the monopole located at 5858 Centerville Road. The tower is located behind the SMC building and was added to the site in 2005. The tower is 120' in height with the existing antenna located at that height.

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SBA would like to add additional antenna at the 100' elevation. They would also add ground level equipment within the fenced area located at the base of the tower.

When the tower was approved by the Town, one of the conditions of approval required that the tower allow for shared use, anticipating that a future user may want to also use the tower for antenna.

A 29' x 49' fenced area is located at the base of the tower to place cabinets and equipment relating to the antenna. Existing equipment within the fenced area is due north of the tower and takes up approximately 100 square feet. The new equipment is proposed to utilize a 12' x 20' area.

A Conditional Use Permit must be approved by the Town to add the new antenna and related equipment.

Town Attorney Beck explained that the carriers would contract directly with SBA and that the Township would not be involved at all legally.

Ruzek made the motion to open this item up for public hearing. McCune seconded. Ayes all. No one was present to address concerns regarding this agenda item. Ruzek motioned to close the public hearing. McCune seconded. Ayes all.

Based on Planning Commission & Town Staff Review and Recommendation Ruzek motioned to Approve the Conditional Use Permit / Zoning Certificate with Attached Requirements for 5858 Centerville Road to Allow for Additional Antennas on the Monopole. McCune seconded. Ayes all.

**HAMMOND ROAD WATER PAINTING — AUTHORIZE PREPARATION OF PLANS AND SPECIFICATIONS:** The Town Engineer reported as part of the Township's infrastructure management program, the repainting of that water towers is programmed in the Township's CIP for \$1 million. In 2019, the Hammond Road water tower located at 1283 Hammond Road next to the Town offices is scheduled for repainting. This tower was built in 1982. The paint has reached its typical life span. The tower has been periodically inspected and cleaned, including interior diving over the years. During the inspections and cleanings there were no major concerns with the water tower. There will be minor improvements to areas of the tower as part of this project. The tower will be taken out of service to perform the work over a three to four month timeframe. Temperatures will need to be moderate to allow for proper paint curing. The tower will require a containment enclosure during the process to protect overspray from reaching the adjacent facilities: nearby businesses and park. TKDA will work with Public Works Department through the entire process to make sure all parts of the process meet the Township's requirement concerns. It is planned to add a concrete floor to the structure, replace aerial lights on top of the tank, replace mud valve, and rebuild/replace altitude valve and step improvements at the service door. Both the Hammond Road tower and Northeast tower will have the pipe in the below grade pit sandblasted and repainted. TKDA will prepare the plans and specifications to remove the existing paint coating, to re-recoat the interior surface of the water tower and perform the bidding process for an amount not to exceed \$29,400.00. TKDA

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will be bidding this project for the construction options of spring or fall. They have been working with the antenna cell carrier relative to their antenna. The project will be funded through the Water Fund. This agenda item has been reviewed by the Planning Commission and recommendation is to approve a Conditional Use Permit for the building.

Prudhon mentioned that the concept of possible service loss would not be an issue with the carriers, due to construction or otherwise. Ruzek mentioned the contract should be made clear on that issue.

Based on Town Engineer Review & Recommendation, McCune moved to Approve the Plans & Specifications laid out by TKDA. Ruzek seconded. Ayes all.

Based on Town Engineer Review & Recommendation, McCune moved to Authorize Advertisement for Bids noting that the Bid Opening Date is Wednesday, March 27, 2019 @ 11:00 a.m. at the Township Administrative Offices. Ruzek seconded. Ayes all.

**PUBLIC WORKS SERVICE DOOR CANOPIES**: The Public Works Director reported that late in the summer of 2018 quotes were requested for the installation of canopies over two service doors at the Public Works building. The bidding documents were sent to three area contractors for quotes. Since then, the Town advertised this project in the White Bear Press twice. Quotes were due February 25, 2019 at 4:30 p.m. The Town received three quotes, though SJ Anderson has chosen to withdraw their competing quote. The two remaining quotes were from Cobra Construction, Inc. and Parkos Construction Company, Inc. Cobra Construction was the low quote at \$29,479.68, nearly \$10,000 less than October 2018. Parkos Construction's bid was \$69,200.00.

Reed recommends approving the low quote and has verified that they understand the scope of the construction for the work involved constructing and installing the canopies. The withdrawn applicant had not visited the site. There is \$35,000 designated for the capital building fund.

Based on Public Works Director Review & Recommendation, Ruzek moved to Receive the Two Quotes. McCune seconded. Ayes all.

Based on Public Works Director Review & Recommendation, Ruzek moved to Award the Quote to Cobra Construction, Inc., in the Amount of \$29,479.68 for the Construction & Installation of Canopies over Two Service Doors at the Public Works Building With Funding from the Capital Building Fund. McCune seconded. Ayes all.

**PUBLIC WORKS DIRECTOR REPORT: 2019 Sealcoat Project**: The Public Works Director reported that as part of the Town's infrastructure management program the Town provides funding for an annual sealcoat project. By treating the road surface with sealcoat the roads useful life can be extended. Maps showing the streets proposed 2019 Sealcoat Project were reviewed as shown on meeting packet pages 141-147. The timing for the sealcoat of streets is giving the Township the greatest return on investment ultimately increasing the life of the road by providing the right surface maintenance treatment at the right time. Action requested

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is to approve the 2019 Sealcoat specifications and to authorize bidding. Improvement Fund 505 has \$150,000.00 budgeted for sealcoating and crack-sealing. The Public Works Director's estimate for this year's sealcoat project is \$114,741.00, and crack sealing is estimated at \$35,259.00.

The Town advertised in the White Bear Press on February 14<sup>th</sup> and 21<sup>st</sup>. Allied Blacktop had the lowest bid with \$120,956.77 for sealcoating. With the 2019 budget set at \$150,000.00, that leaves \$29,043.23 for future crack-sealing.

Ruzek's concern is with the time of day this construction company works. Reed will make sure that is in the contract with Allied Blacktop.

Ruzek made the motion to receive the bids. McCune seconded. Ayes all. Ruzek moved to award the contract for the 2019 Sealcoat Project to Allied Blacktop Company for \$120,956.77. McCune seconded. Ayes all.

**STABLE OF WHITE BEAR TOWNSHIP — 5685 PORTLAND AVENUE — REVIEW**

**POTENTIAL DEVELOPMENT LAYOUT:** The Township currently owns the property at 5685 Portland Avenue. The Town has reviewed several development proposals for this property over the past 15 years. None have been approved by the Town as all of the proposals requested the Town to modify the Land Use Safety Zones to accommodate additional density on the property. Plans have proposed 14 lots, 19 lots, and other sketch plan alternatives in the past. Once the Town purchased the property Staff was asked to work with E.G. Rud & Sons Surveyors to lay out a development which meets current ordinance requirements. Staff asked Rud to lay out 8 single family home lots on the property for consideration by the Town. Previous layouts were also considered.

At this time the Town Board and EDAB are leaning towards the 8 single family proposal. The proposal includes: 1) 8 single family home lots; 2) 5 of the lots meet a 3 acre minimum size as required by Land Use Safety Zone B; 3) a trail is planned along the western edge of the upland portion of the property; 4) the existing Morgan Trail is planned to extend south into the stable property and extend to Portland Avenue; 5) the existing stormwater treatment pond would be expanded; 6) the Town would retain ownership of the trail corridor and the westerly portion of the property which is wetland.

The Park Board also reviewed this item because of the trails that extend south into the property. It was recommended that park fees could be applied as the Town remains the owner of the wetlands, prairie, and the trails that run along this property.

Ron Denn, Planning Commission Chair, proposed a one-way along this property. Residents at 5695 Portland Avenue oppose the idea because the corner house would not be able to drive the opposite direction toward a second driveway that may go to a garage or the backyard. Beth Artnier can see the resident's point of view because she lives on a one-way. A neighbor at 5675 Portland Avenue doesn't have a preference on a one-way or not, he is concerned with traffic and potential accidents that could land in his yard. He has a blind driveway and rides a

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motorcycle. He hopes the town has control over speed and signs in that area. It's more about the outlet than about the one-way or two-way.

The Board directed Staff to look into potential marketing and sale of this property. Staff have been consulting with Bill Short, Jenny Boulton, Town Board Counsel/EDA Counsel, and Attorney Chad Lemmons. However, because of legal reasons it doesn't look like this project will be able to be completed by the end of the year. Right now there is a plan, but no legal direction. Christopherson will update in the coming meetings. This agenda item will also be discussed at the Town Board Executive Meeting.

**ADMINISTRATIVE OFFICE UPGRADES:** TKDA has given a proposal on the Township Administrative Office Upgrades, this is the second. This proposal, if accepted, will tie into the Capital Improvement Fund. Some upgrades that are needed are replacing carpet, painting the interior, and replacing tile. Replacing the roof is scheduled for 2020.

TKDA will manage the design concepts, meet with the Town Board, hold kick off meetings, prepare two preliminary design options, etc. for \$20,500. This is less than 20 percent of the Capital Improvement budget for 2019. This proposal was "improved considerably" from the first one, according to Christopherson, though he thinks TKDA could cut down on some of the hours in the second phase of this proposal, laid out in the Task Fee Estimate in the packet.

Ruzek's concern is that this price with TKDA isn't a competitive price because there is only one company in the running. Christopherson said if the Board wants him to shop around, he will.

Prudhon brought up talking with a security company. Christopherson proposed that he will talk with Ramsey County Sheriff Department for any suggestions or comparable. A rough idea of what other options are out there will be discussed at the Executive Town Board Meeting.

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

**RECEIPT OF AGENDA MATERIALS / SUPPLEMENTS:** McCune motioned to receive all Agenda Materials & Supplements for tonight's meeting. Ruzek seconded. Ayes all.

Ruzek moved to adjourn the meeting at 8:08 p.m. McCune seconded. Ayes all.

Respectfully Submitted,

Patrick Christopherson

Approved as Official Meeting Minutes

\_\_\_\_\_  
Town Board Chair

\_\_\_\_\_  
Date



**Town Board Meeting  
March 18, 2019**

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

**Subject: Universal Forest Products – Approve Second Amendment to the Hoffman Road Parking Lot Lease Agreement**

**Documentation: Second Amendment to Lease Agreement**

**Action / Motion for Consideration:**

Receive Information / Discuss

Based on Town Attorney & Staff Review & Recommendation Approve the Second Amendment to the Hoffman Road Parking Lot Lease Agreement Between the Township & Universal Forest Products Through June 30, 2021

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Minutes  
Town Board Meeting  
April 3, 2017

**CONSENT AGENDA:** Ruzek moved approval of the Consent Agenda as follows: 5B) Approve the First Amendment to the Hoffman Road Parking Lot Lease Agreement & Authorize Execution by the Town Board Chair. Prudhon seconded. Ayes all.

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Minutes  
Town Board Meeting  
July 20, 2015

**TOWN HALL SITE – APPROVE & AUTHORIZE EXECUTION OF LEASE AGREEMENT WITH UNIVERSAL FOREST PRODUCTS:** The Clerk reported that the lease agreement is to lease a portion of the Town Hall site to Universal Forest Products. Kermes asked the Town Attorney if he reviewed the lease agreement. The Town Attorney reported that he had reviewed the lease agreement negotiated with Universal Forest Products. Kermes asked when the agreement would go into effect. The Clerk stated that as soon as UFP executes the agreement it will be in effect, as early as tomorrow.

Ruzek moved to approve the Lease Agreement Vacant Land with Universal Forest Products, for the Town Hall property at 4151 Hoffman Road and to authorize execution by the Chair and Clerk, noting language changes made to Part 4, Rent. Prudhon seconded. Ayes all.

## SECOND AMENDMENT TO LEASE AGREEMENT

THIS SECOND AMENDMENT TO LEASE AGREEMENT is made effective as of \_\_\_\_\_, 2019 (the "Effective Date") by and between **WHITE BEAR TOWNSHIP, MINNESOTA**, a township under the laws of the State of Minnesota ("Landlord") and **UFP WHITE BEAR LAKE, LLC**, a Michigan limited liability company ("Tenant") (collectively "Parties").

### RECITALS

**WHEREFORE**, Landlord and Tenant entered into that certain Lease Agreement for Vacant Land dated July 10, 2015 (the "Lease").

**WHEREFORE**, on March 31, 2017, Landlord and Tenant entered into a First Amendment to Lease Agreement extending the Term of the Lease to June 30, 2019.

**WHEREFORE**, Tenant wishes to extend the Lease Term pursuant to paragraph two of the Lease, and Landlord agrees to such extension pursuant to the terms set forth below.

### AGREEMENT

**NOW, THEREFORE**, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. **Definitions.** Capitalized terms used but not defined in this Amendment shall have the meanings ascribed to them in the Lease.
2. **Term.** As of the Effective Date, Tenant hereby exercises its option to renew the Lease for an additional two (2) year term. Consequently, Landlord and Tenant agree that the scheduled termination date of the Lease is now June 30, 2021.
3. **No Other Changes.** Except as expressly provided in this Amendment, all terms, conditions, covenants, obligations, and agreements in the Lease shall remain in full force and effect without any change due to this Amendment.
4. **Counterparts.** This Amendment may be executed in multiple counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same document. To the extent signed and delivered by means of a facsimile machine or other electronic transmission (including e-mail of a "PDF" signature), this Amendment shall be treated in all respects and for all purposes as an original agreement and shall be considered to have the same binding legal effect as if it were the original signed version of this Amendment.

IN WITNESS WHEREOF, the parties have executed this Amendment as of the Effective Date.

LANDLORD:

TENANT:

**WHITE BEAR TOWNSHIP**

**UFP WHITE BEAR LAKE, LLC**

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_



**Town Board Meeting  
March 18, 2019**

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

**Subject:** Southwind Holdings LLC, 5960 Highway 61 SAC  
**Determination Request** – Receive Request & Refer to March  
29, 2019 Executive Meeting for Discussion

**Documentation:** Southwind Holdings LLC Correspondence

**Action / Motion for Consideration:**

Receive Information / Discuss

Receive Request & Refer to March 29, 2019 Executive Meeting for  
Discussion

# SOUTHWIND HOLDINGS LLC

2372 LEIBEL St  
White Bear Township MN 55110

March 12, 2019

Hi Tom,

This past December we received a proposal from a future tenant to combine the northern 2 spaces in our building and create a small single family restaurant space, called Red Luna Taco Factory. Since a small pizza business and hair salon had previously occupied the space it is a simple procedure to change the space to accommodate this. This new business is a good addition to the neighborhood.

As is the norm we applied for a building permit and staff mentioned that since this was a restaurant type of business I should apply to the metropolitan council as their rules governing restaurants have changed in the past years and they need to know we are contemplating adding a new business such as this.

So in mid-December I did apply and received a determination from them that stated that we would be responsible for 8 new sac charges in conjunction with this new business.

I responded to the SAC Technician that it seemed to me that since this property previously had a 2 bay car wash, a small takeout pizza business and hair salon that we had more than likely paid plenty of SAC fees when these businesses were originally permitted.

The return email then said that since the Metropolitan Council had changed a lot since 2002, and they have not kept good records, so if I could show there were businesses in operation prior to 2009 they would look at that and possibly allow credits based on those buildings. Lastly, the Technician said that Red Luna was not using the former car wash space so no SAC credits would be available from that.

With Town Staff help we were able to get original business licenses and permits for the Majestic Pizza and Salon 61 spaces showing they were in operation prior to 2009. I forwarded this information to the Technician along with an email detailing that it seemed unfair that SAC credits would not be allowed from the former car wash and to please reconsider.

In February I received another determination report detailing that we were entitled to 2 credits and now owed 6 SAC.

Once again I responded more forcefully that SAC credits should be commensurate to SAC charges previously paid and not an arbitrary amount. In addition the credits should be consistent and available to the property in its entirety especially as this property is all covered under one PID#. It should not matter that there are different structures on the property when considering credits.

Last week the Technician responded that it actually is up to the Township to decide what credits can be used and where.

Based on that I am requesting the Town to allow us to take the 6 SAC credits that are available for our location, based on the fact that we have already paid for SAC in prior years and thereby allowing us to receive full credit for that.

Thank you for your consideration,



Larry Alm  
Chief Manager

Date of Determination: 02/12/19

Determination Expiration: 02/12/21

Greetings!

Please see the determination below.

**Project Name:** Red Luna Taco Factory  
**Project Address:** 5960 Highway 61  
**Suite #/Campus:** N/A  
**City Name:** White Bear Township  
**Applicant:** Larry Aim, Southwind Builders Inc.

**Special Notes:** The original letter for this determination was dated December 12, 2018, letter reference 181212D5. The City will be charged SAC as determined below, instead of the units previously assigned. The redetermination is based on pre-2009 documentation provided to prove grandparent use of the spaces.

**Charge Calculation:**

Food & Drink: 2573 sq. ft. @ 300 sq. ft. / SAC = 8.58

**Total Charge:** 8.58

**Credit Calculation:**

Take Out (Grandparent 2004): 1044 sq. ft. @ 3000 sq. ft. / SAC = 0.35

Barber/Salon Spa (Grandparent 2003): 1500 sq. ft. @ 700 sq. ft. / SAC = 2.14

**Total Credit:** 2.49

**Net SAC:** 6.09 – or – **6 SAC Due**

The business information was provided to MCES by the applicant at this time. It is the City's responsibility to substantiate the business use and size at the time of the final inspection. If there is a change in use or size, a redetermination will need to be made. If you have any questions email me at: [toni.janzig@metc.state.mn.us](mailto:toni.janzig@metc.state.mn.us).

Thank you,

**Toni Janzig**

SAC Technician

Please visit our SAC website by going to: <http://www.metrocouncil.org/SACprogram>

Date of Determination: 12/12/18

Determination Expiration: 12/12/20

Greetings!

Please see the determination below.

**Project Name:** Red Luna Taco Factory  
**Project Address:** 5960 Highway 61  
**Suite #/Campus:** na  
**City Name:** White Bear Township  
**Applicant:** Larry Aim, Southwind Builders Inc

**Special Notes:** It is the Council's understanding there will be no outdoor seating. If at any time outdoor seating is added, a determination is required and additional SAC may be due.

**Charge Calculation:**

Food & Drink: 2,573 sq. ft. @ 300 sq. ft. / SAC = 8.58

**Total Charge:** 8.58

**Credit Calculation:**

Retail (Grandparent 1958) 2573 sq. ft. @ 3050 sq. ft. / SAC = 0.84

**Total Credit:** 0.84

**Net SAC:** 7.74 - or - **8 SAC Due**

The business information was provided to MCES by the applicant at this time. It is the City's responsibility to substantiate the business use and size at the time of the final inspection. If there is a change in use or size, a redetermination will need to be made. If you have any questions email me at: [tonijanzig@metc.state.mn.us](mailto:tonijanzig@metc.state.mn.us).

Thank you,

**Toni Janzig**

SAC Technician

Please visit our SAC website by going to: <http://www.metrocouncil.org/SACprogram>

report, since the Met Council charges SAC directly to the City.



- The Metropolitan Council charges SAC directly to the City, the City then typically passes this charge onto the building/business owner (it is the City's choice to pass along SAC charges). There are currently 114 communities/cities that the Met Council serves, all communities/cities are charged/credited using the same rules in the current SAC Procedure Manual. Some Cities do participate in the SAC Deferral Program which is a way to delay a portion of the SAC payment. If you would like to learn more about the SAC deferral Program, please contact the City to see if they participate and about the program.

**Attached is a copy of the 2019 SAC procedure manual. Section 5.2.2 includes information regarding SAC credits and Appendix A-1 and Appendix A-2 list the most common SAC criteria.**

Please let me know if you have any further questions or if I did not address any of your questions.

Thank you,

**Toni Janzig**

SAC Technician

Please visit our SAC website by clicking: [SAC Program](#)

**Our SAC criteria and credit rules have changed as of July 1, 2018. For more details go to:**  
[www.metrocouncil.org/SACtaskforce](http://www.metrocouncil.org/SACtaskforce)

**From:** Larry Alm <[southwind.larry@comcast.net](mailto:southwind.larry@comcast.net)>

**Sent:** Tuesday, February 12, 2019 1:52 PM

**To:** Janzig, Toni <[Toni.Janzig@metc.state.mn.us](mailto:Toni.Janzig@metc.state.mn.us)>; [mike.johnson@whitebeartownship.org](mailto:mike.johnson@whitebeartownship.org)

**Cc:** Larry Alm <[southwind.larry@comcast.net](mailto:southwind.larry@comcast.net)>

**Subject:** RE: 2nd email request for clarification

Hi Toni, thanks for working on this. Originally we received a sac credit for retail (Grandparent 1958) .084. Now this go around we received a credit for Take-Out (Grandparent 2004) 0.35 and Barber/salon Spa (Grandparent 2003) of 2.14. So with that in mind we should have a total of credits at least of 3.33.

Additionally the square foot of the space of the building occupied by Red Luna is 2381 not 2573. We ran our measure wheel today again to clarify.

I have been looking on your website and I am not able to determine how you calculate the "Grandparent credits". How come pizza takeout uses a factor of 3000 when that really would be considered a "restaurant"? Then the salon uses 700 factor? The sac charges that were paid when the original building permit was issued were fairly substantial at that time and these credits do not seem to compare very well. I would believe that a hair salon produced a lot of sewer usage which in turn would be reflected by the original sac charges? Additionally, the credits from the abandoning of the car wash and turning that into a retail store which uses no sewer to speak of should be available for some credit as those fees were paid for usage per the costs at that time and now there is no usage. It will never be a car wash again. Additionally if the usage would change your office would certainly get a shot at charging for a different usage, Sewer credits need to be based on the property as this is one property and one PID so please get these credits included into the calculation.

## Larry Alm

---

**From:** Larry Alm <southwind.larry@comcast.net>  
**Sent:** Wednesday, March 6, 2019 5:50 PM  
**To:** Larry Alm  
**Subject:** FW: 2nd email request for clarification  
**Attachments:** 2019 SAC Procedure Manual.pdf

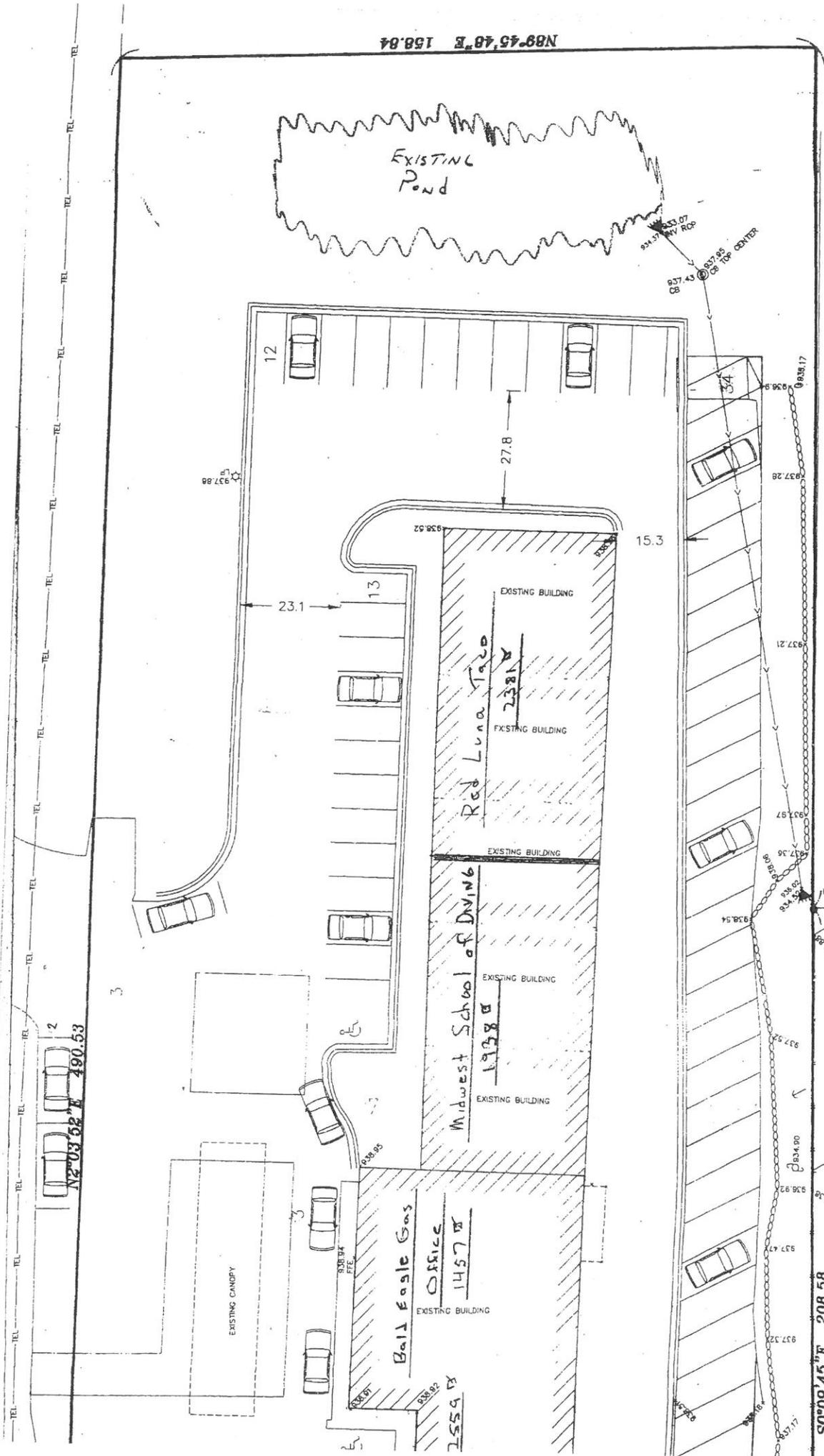
Larry Alm  
Southwind Builders Inc.  
2372 Leibel St  
White Bear Lake MN 55110  
651-773-8780 Ext. 103  
612-270-5655 Cellular



**From:** Janzig, Toni [mailto:Toni.Janzig@metc.state.mn.us]  
**Sent:** Wednesday, February 13, 2019 1:25 PM  
**To:** Larry Alm <southwind.larry@comcast.net>; mike.johnson@whitebeartownship.org  
**Subject:** RE: 2nd email request for clarification

Good afternoon,

- The gross square feet of the space was calculated based on the floor plans that were provided. Are you indicating that the floor plans you provided are not to scale? If not, please provide scalable floor plans for the redetermination.
- Grandparent credits are calculated based on the use of the space prior to 2009.
  - If no proof is provided that shows that use of the space, a minimum grandparent credit based on how the county lists the building is applied. For example if the County lists the building as commercial, the minimum grandparent retail credit based on the criteria in the SAC Procedure Manual is applied to the determination.
  - If the City provides proof of the use of the space prior to 2009, than grandparent credit based on that use would be applied to the SAC determination. For example: If the city provides proof that the entire space was a barber/salon spa prior 2009, the space would receive the current credit for barber/Salon spa criteria in the SAC Procedure Manual.
- There is separate SAC criteria for a food & drink business than take out business (no customer seating), which is listed in the 2019 SAC procedure manual. Based on the information provided, the previous tenant Majestic Pizza/Roanies Pizza was take out only (no customer seating).
- The car wash building is a separate building (separate connection). Based on our records this building is still a car wash and not been converted into a different use. When the car wash is converted into a different use, a SAC determination is required. If there are net SAC credits as a result of the SAC determination, the City can choose to leave these SAC credits with the building (for future growth) or the City can take them City Wide when they



N89°45'48"E 158.84

EXISTING POND

12

27.8

23.1

13

15.3

34

2

N2°03'02"E 490.53

3

EXISTING CANOPY

Ball Eagle Gas  
Office  
1457 W  
EXISTING BUILDING

Midwest School of Diving  
1938 W  
EXISTING BUILDING

Red Luna Taco  
2381 W  
EXISTING BUILDING

EXISTING BUILDING

EXISTING BUILDING

S0°08'45"E 208.58

FENCE CORNER LIES  
EASTERLY OF  
BOUNDARY LINE

TOTAL PARKING STALL COUNT =

88



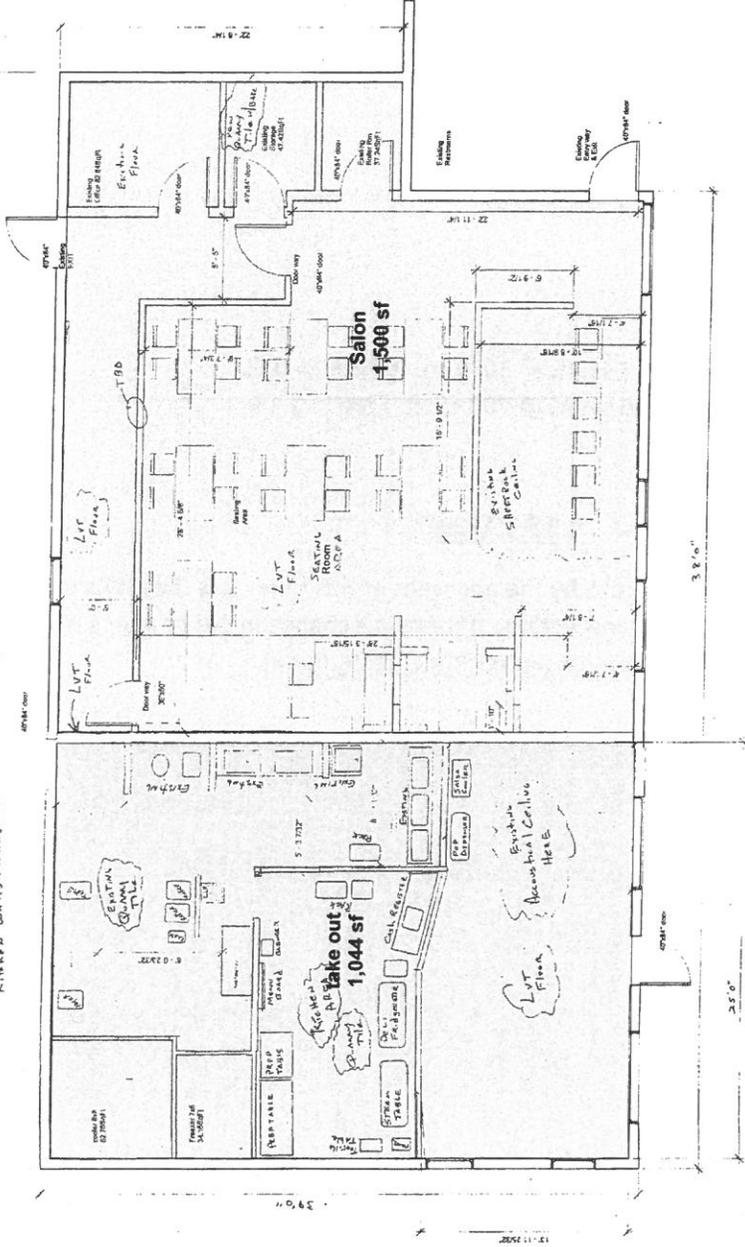
**JOB ADDRESS:**  
5960 Highway G1 N  
White Bear Township, MN 55110

**PROJECT NAME:**  
Red Luna Taco Factory

Scale: NTS

**CREDIT PLAN PAGE**

Notes:  
Kitchen Island/Cape = Solid Surface  
Kitchen Area Ceiling = One clear Span with suspension tile  
Kitchen Floor = Euxton Quarry Tile  
Kitchen Walls = Euxton Quarry Tile  
Lobby Floor = Euxton Quarry Tile  
Lobby Walls = Euxton Quarry Tile  
Lobby Ceiling = Euxton Quarry Tile



Level 1 Copy 2  
1/4" = 1'-0"



**Town Board Meeting  
March 18, 2019**

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

**Subject:** Construction Activity Report - Receive

**Documentation:** Report

**Action / Motion for Consideration:**

Receive Information / Discuss

## White Bear Township Construction Activity Report

<u>BUILDING PERMIT</u>	February 2019		2019 YEAR TO DATE		2018 YEAR TO DATE	
<b><u>HOUSING</u></b>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>
SINGLE FAMILY	1	300,000	2	600,000	3	727,000
TOWN HOME	-	-	-	-	-	-
<b>TOTALS</b>	<b>1</b>	<b>\$ 300,000</b>	<b>2</b>	<b>\$ 600,000</b>	<b>3</b>	<b>\$ 727,000</b>
<b><u>MISCELL. RESIDENTIAL</u></b>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>
REMODEL & ADDITIONS	1	4,150	4	117,650	12	593,163
SIDING, ROOF. & WIND.	14	214,549	24	307,449	18	193,192
DECKS	-	-	-	-	3	23,400
SWIMMING POOLS	-	-	-	-	-	-
ACCESSORY BLDG	-	-	-	-	-	-
OTHER	1	8,780	1	8,780	3	8,827
<b>TOTALS</b>	<b>16</b>	<b>\$ 227,479</b>	<b>29</b>	<b>\$ 433,879</b>	<b>36</b>	<b>\$ 818,583</b>
<b><u>COMMERCIAL</u></b>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>
PUBLIC BUILDINGS	-	-	-	-	-	-
INDUSTRIAL	-	-	-	-	1	1,600,000
BUSINESS	-	-	-	-	-	-
REMODEL & ADDITIONS	1	210,000	1	210,000	-	-
OTHER	-	-	-	-	-	-
<b>TOTALS</b>	<b>1</b>	<b>\$ 210,000</b>	<b>1</b>	<b>\$ 210,000</b>	<b>1</b>	<b>\$ 1,600,000</b>
<b><u>MISCELLANEOUS</u></b>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>
DEMOLITION	1	-	1	-	-	-
<b>TOTALS</b>	<b>19</b>	<b>\$ 737,479</b>	<b>33</b>	<b>\$ 1,243,879</b>	<b>40</b>	<b>\$ 3,145,583</b>
<b>PERMIT REVENUE</b>		<b>\$ 3,340</b>		<b>\$ 7,105</b>		<b>\$ 18,473</b>



**Town Board Meeting  
March 18, 2019**

**Agenda Number: 6A – Old Business**

**Subject: Administrative Office Upgrades – Architectural Quotes**

**Documentation: \*\* to be in Monday's Supplement**

**Action / Motion for Consideration:**



**Town Board Meeting  
March 18, 2019**

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

**Subject:** 2040 Comprehensive Plan – Authorize Submittal of the Proposed 2040 Comprehensive Plan to the Metropolitan Council

**Documentation:** Public Notice / Publication / Swisher Correspondence / Resolution

**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 Authorizing the Submittal of the 2040 Comprehensive Plan Draft to the Metropolitan Council as Required by Minnesota State Law (Metropolitan Land Planning Act)**

**Ruzek – Moves**

**McCune – Seconds**



## PUBLIC NOTICE

**NOTICE IS HEREBY GIVEN,** That the Town Board of the Town of White Bear, Ramsey County, Minnesota, will meet at Heritage Hall, 4200 Otter Lake Road, in said Town on Monday, March 18, 2019 at 7:00 p.m., to authorize submittal of the proposed 2040 Comprehensive Plan to the Metropolitan Council, and to hear and pass upon objections, and recommendations, if any, and to conduct any and all business incident thereto.

Given under my hand this 20<sup>th</sup> day of February, 2019.

BY ORDER OF THE TOWN BOARD OF SUPERVISORS

A handwritten signature in black ink, appearing to read "Patrick Christopherson", written over a horizontal line.

PATRICK CHRISTOPHERSON, Town Clerk

**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: Rapid Construction
2. The street address of the principal place of business is or will be: 1803 Buerkle Road, Suite 106 White Bear Lake, MN 55110
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.

Rapid Construction, Inc.  
1803 Buerkle Road, Suite 106  
White Bear Lake, MN 55110

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: February 21, 2019  
Signed: Jordan Meierhofer, CEO  
Published two times in the White Bear Press on March 6 and 13, 2019.

**CITY OF WHITE BEAR LAKE**

**NOTICE OF HEARING ON IMPROVEMENTS FOR  
2019 MILL & OVERLAY PROJECT ON:**

**GLEN OAKS AVENUE / ASPEN COURT / SUMAC COURT / SUMAC RIDGE / CHICAGO AVENUE / MOREHEAD AVENUE / STEWART AVENUE / ALLEY / CAMPBELL AVENUE / CAMPBELL CIRCLE / DEBRA STREET / ELEVENTH STREET / LEMIRE CIRCLE / LEMIRE LANE / TENTH STREET / THURY COURT / WALNUT STREET / WOOD AVENUE / CITY PROJECT NOS.: 19-04 & 19-13**

To Whom It May Concern:

Notice is hereby given that the White Bear Lake City Council will meet in the Council Chambers at City Hall, 4701 Highway 61, beginning at 7:00 p.m. on March 12, 2019, to consider the making of improvements pursuant to Minnesota Statutes, Sections 429.011 to 429.111.

The improvements include mill and overlay, total replacement of the bituminous pavement surface and trail enhancements. The estimated total project improvement cost is \$822,000.00. The area proposed to be assessed for such improvements is the abutting property benefiting from the improvements in the following project areas:

**City Project No. 19-04**

- Glen Oaks Avenue (from County Road D to Sumac Ridge)
- Aspen Court (from Glen Oaks Avenue to Cul-de-sac)
- Sumac Court (from Glen Oaks Avenue to Cul-de-sac)
- Sumac Ridge (from 300' West of Glen Oaks Avenue to Cul-de-sac)

**City Project No. 19-13**

- Chicago Avenue (from Stewart Avenue to Morehead Avenue)
- Morehead Avenue (from State 96 to Chicago Avenue)
- Stewart Avenue (from State 96 to Chicago Avenue)
- Alley (from Chicago Avenue to South)
- Campbell Avenue (from Tenth Street to Eleventh Street)
- Campbell Circle (from Campbell Avenue to End Cul-de-sac)
- Debra Street (from Ninth Street to Parking Lot)
- Eleventh Street (from End Cul-de-sac to End Cul-de-sac)
- Lemire Circle (from Lemire Lane to End Cul-de-sac)
- Lemire Lane (from Tenth Street to Garden Lane)
- Tenth Street (from Georgia Lane to Wood Avenue)
- Tenth Street (from Campbell Avenue to Bald Eagle Avenue)
- Thury Court (from Debra Street to End Cul-de-sac)
- Walnut Street (from Ninth Street to Tenth Street)
- Wood Avenue (from Tenth Street to Garden Lane)

A reasonable estimate of the impact on the assessment will be available at the hearing. Such persons who desire to be heard with reference to the proposed improvements will be heard at this meeting.

Paul Kauppi, P.E.

Public Works Director/City Engineer

Published two times in the White Bear Press on February 27 and March 6, 2019.

**CITY OF WHITE BEAR LAKE**

**NOTICE OF HEARING ON IMPROVEMENTS  
FOR STREET AND UTILITY RECONSTRUCTION ON:**

**MOREHEAD AVENUE / JOHNSON AVENUE / FOURTH STREET / FIFTH STREET / SIXTH STREET / SEVENTH STREET / ALLEYS / GARDEN LANE**

**CITY PROJECT NOS.: 19-01 AND 19-06**

To Whom It May Concern:

Notice is hereby given that the White Bear Lake City Council will meet in the Council Chambers at City Hall, 4701 Highway 61, beginning at 7:00 p.m. on March 12, 2019, to consider the making of improvements pursuant to Minnesota Statutes, Sections 429.021 to 429.111.

The improvements include street reconstruction with concrete curb and gutter, bituminous pavements, water, sanitary sewer, storm sewer and sidewalk enhancements. The estimated total cost of the street reconstruction improvements is \$3,312,000.00. The area proposed to be assessed for such improvements is the abutting property benefiting from the improvements in the following project areas:

**City Project No. 19-01**

- Morehead Avenue (Lake Avenue to Seventh Street)
- Johnson Avenue (Fourth Street to Seventh Street)
- Fourth Street (Stewart Avenue to Johnson Avenue)
- Fifth Street (Stewart Avenue to Lake Avenue)
- Sixth Street (Stewart Avenue to Lake Avenue)
- Seventh Street (Stewart Avenue to Lake Avenue)
- Alleys (Various Alleys throughout the project Area)

**City Project No. 19-06**

- Garden Lane (Lemire Lane to Bald Eagle Avenue)

A reasonable estimate of the impact of the assessment will be available at the hearing. Such persons who desire to be heard with reference to the proposed improvements will be heard at this meeting.

Paul Kauppi, P.E.

Public Works Director/City Engineer

Published two times in the White Bear Press on February 27 and March 6, 2019.

**CITY OF WHITE BEAR LAKE**

**RESOLUTION NO. 12352**

**A RESOLUTION APPROVING PUBLICATION OF ORDINANCE  
NO. 19-02-2033 REGARDING MESSAGE THERAPISTS/MESSAGE  
THERAPIST BUSINESSES BY TITLE AND SUMMARY  
FOR PUBLISHED NOTICE**

WHEREAS, the City of White Bear Lake City Council adopted Ordinance No. 19-02-2033 "An Ordinance Amending Section 1127 of the Municipal Code of the City of White Bear Lake Regarding Message Therapists and Massage Therapist Businesses" ("Ordinance") at its February 26, 2019 meeting; and  
WHEREAS, the City Council may, pursuant to Ordinance No. 83-6-666, City Charter Section 4.14, and Minnesota Statutes, section 412.191, subdivision 4, adopt a title and summary of an ordinance for publication in lieu of publishing the entire text of a lengthy ordinance.

NOW, THEREFORE, BE IT RESOLVED, that the City of White Bear Lake City Council hereby approves the following title and summary language for publication of the Ordinance:

**CITY OF WHITE BEAR LAKE  
ORDINANCE NO. 19-02-2033**

**AN ORDINANCE AMENDING SECTION 1127 OF THE MUNICIPAL  
CODE OF THE CITY OF WHITE BEAR LAKE REGARDING  
MESSAGE THERAPISTS AND MESSAGE THERAPIST BUSINESSES**

On February 26, 2019, the City of White Bear Lake City Council adopted the above-referenced ordinance to make various amendments to the message licensing provisions, including establishing administrative license determinations, a mechanism to transfer licenses between establishments, a process to obtain a letter of employability, require the posting of a list of services, requiring message therapist licenses to be made available during inspections, set out adverse license procedures, and outline the process for appeal of license determinations. The ordinance shall be in effect 30 days from this publication. A copy of the ordinance is available for review in the office of the City Clerk and on the City's website.

BE IT FINALLY RESOLVED, that the City of White Bear Lake City Council hereby directs the City Clerk to do each of the following:

1. Publish the approved summary language once in the City's official newspaper;
2. Have available for inspection during regular office hours a copy of the entire Ordinance;
3. Place a copy of the entire Ordinance at the White Bear Lake Branch of the Ramsey County Public Library;
4. Obtain an affidavit of publication of the title and summary from the official newspaper
5. Incorporate the text of the Ordinance into the Municipal Code of the City of White Bear Lake; and
6. Post this Ordinance and a copy of the updated Municipal Code on the City's website.

The foregoing resolution offered by Councilmember Engstran and supported by Councilmember Biehn carried unanimously on February 26, 2019  
Jo Emerson, Mayor

ATTEST: Kara Coustry, City Clerk

Published one time in the White Bear Press on March 6, 2019.

**WHITE BEAR LAKE AREA SCHOOLS  
INDEPENDENT SCHOOL DISTRICT #624  
4855 BLOOM AVENUE  
WHITE BEAR LAKE, 55110**

**NOTICE TO BIDDERS**

The School Board of Independent School District #624, White Bear Lake Area Schools, White Bear Lake, Minnesota, will receive sealed bids for:

**COMPLETE ROOF REPLACEMENT PROJECTS**

**HIPPODROME ICE ARENA**

**NORMANDY PARK**

Until 2:00 P.M. March 20, 2019, at the White Bear Lake Public Schools, District Center, Buildings and Grounds office, 4855 Bloom Avenue, room 309, White Bear Lake, Minnesota at which time and place all bids will be opened and read aloud in room 206. Bidders are invited to attend. Bids received after 2:00 P.M. will be returned unopened.

A Pre-bid meeting will begin at the District Center 4855 Bloom Avenue, White Bear Lake, MN at 1:30 PM on March 11, 2019 in room 201. Pre-Bid meeting will continue at Hippodrome 4855 Bloom Ave, WBL, MN and finish at Normandy Park, 2482 E County Road F, WBL, MN.

Bids shall be up to bid forms provided within specifications. No oral, telegraphic, or telephonic proposals or modifications will be considered. Separate envelopes containing bids must be sealed, marked (BID, COMPLETE ROOF REPLACEMENT PROJECTS, and respective facility name (HIPPODROME ICE ARENA or NORMANDY PARK) with the name and address of the bidder and the date and hour of the opening and addressed to the Building Operations Supervisor.

The complete form shall be without alterations, additions, or erasures, all bids must be on a lump sum basis. White Bear Lake Area Schools reserves the right to accept or reject any or all bids or parts of such bids and to waive any informalities or irregularities in bidding.

Bidding documents, including the Bid Form, Drawings and Specifications, will be on file at the Office of Roof Spec, Inc., 2400 Prior Avenue N, St. Paul, MN 55113, phone #651-639-0644 or upon request at the pre-bid meeting. Please contact Andrea Noonan, Roof Spec, Inc. andrea@roofspec.com

The Engineer will have complete sets of the Bidding Documents available for pick up by prospective bidders and subcontractors at no charge. The copies will be available March 1, 2019. The following information must accompany the request: Contact name, email, Company name, mailing address, street address, and phone numbers.

Each Bidder must accompany his bid with a Cashier's Check, Bid Bond, or Certified Check equal to 5% of the total amount of the Bid payable to Independent School District #624 as a guarantee of prompt execution of the contract in accordance with the Proposal and Contract Documents.

The successful bidder will be required to furnish satisfactory Labor and Material Payment Bond, and Performance Bond.

Bids may not be withdrawn within sixty (60) days after the scheduled time of opening bids, without the consent of the School Board of Independent School District #624 of Minnesota.

Published two times in the White Bear Press on February 27 and March 6, 2019.

**INDEPENDENT SCHOOL DISTRICT NO. 832**

**MAHTOMEDI, MN 55115**

**MINUTES JANUARY 10, 2019**

A Regular meeting of the Board of Education of Mahtomedi Public Schools was held January 10, 2019, beginning at 7:00 PM in the Mahtomedi District Education Center-Community Room. PUBLIC COMMENT: The following members of the audience spoke to the school board about: School District Finance: Larry Lenoux and Bob Zick. CALL TO ORDER by TEMPORARY CHAIRPERSON-Judy Schwartz, acting as temporary chairperson, called the meeting to order at 7:08 p.m. ROLL CALL OF ATTENDANCE-Present: Mike Chevalier; Kevin Donovan; Julie McGraw; Lucy Payne; Judy Schwartz; Stacey Stout; Superintendent Barbara Duffrin, ex-officio; and Luke Wisniewski, school board student representative (arrived at 8:15 p.m.). APPROVAL OF THE AGENDA-Chevalier moved, Stout seconded, approval of agenda. Carried 6-0. APPROVAL OF THE CONSENT AGENDA-Temporary School Board Chair Judy Schwartz noted the \$7,600.00 in donations and expressed the school district's formal thank you. Chevalier moved, Stout seconded, approval of the actions recommended on the consent agenda. Carried 6-0. ORGANIZATIONAL MATTERS-A Swearing in of School Board Members Superintendent Barbara Duffrin swore in Mike Chevalier, Kevin Donovan and Julie McGraw. Chevalier, Donovan and McGraw were re-elected to the school board in November. B) Election of Chairperson, Clerk/Vice Chair and Treasurer-Payne moved, Chevalier seconded, a slate nomination of Lucy Payne as chairperson, Julie McGraw as vice chair/clerk and Stacey Stout as treasurer. All those voting in favor thereof: Chevalier, Donovan, McGraw, Payne, Schwartz and Stout. Approval of Lucy Payne as chairperson, Julie McGraw as vice chair/clerk and Stacey Stout as treasurer. Carried 6-0. C) Salaries of Board Members and Officers (Review of Policy 202.1-School Board Compensation)-Chevalier moved, Donovan seconded, approval to be compensated the average of the N.E. Metro 916 member school districts. Compensation will be chair \$5,816; clerk/vice chair \$5,313; treasurer \$5,263; and other members \$5,206. Carried 6-0. D) Consideration of Board Member Appointments for 2019-School Board Chair Lucy Payne appointed school board committee members. PRESENTATIONS/RECOGNITION-A) Student/Staff/Community Recognition-The following students were recognized by the school board and administration: American Choral Director's Association of MN State Honor Choir Participants: Aleksa Atkinson, Katherine Bennett and Christina Graebner. Not Present: Ethan Hautman, Lucy Ross and Korinne Smith. FROM STUDENT REPRESENTATIVE-School Board Student Representative Luke Wisniewski reported on the events at Mahtomedi Schools. APPROVAL OF MINUTES- Donovan moved, McGraw seconded, approval of the minutes from the December 13, 2018, school board meeting. Carried 6-0. DISCUSSION/INFORMATION ITEMS-A) The Calendar of Events was reviewed. ACTION ITEMS-A) Approval

of the 2018-2019 Revised Budget-Bill Menozzi, Director of Business Services, presented on the 2018-2019 revised budget which included: the budget process: student enrollment history and projections; a comparison of the preliminary and revised budget revenues and expenditures across all funds; personnel changes and changes in fund balance. The grand total revised budget revenues are \$53,501,365 with expenditures of \$54,615,564. The estimated June 30, 2019 unassigned general fund balance is estimated at 2.2%, which is below the district's policy to maintain an 8% unassigned general fund balance and is due in part to a lower than expected student count. School District Policy 714 - Fund Balance procedures will be implemented to stabilize the district's financial position. Donovan moved, McGraw seconded, approval of the 2018-2019 Revised Budget. Carried 6-0. ADJOURNMENT-McGraw moved, Donovan seconded adjournment. Carried 6-0. Meeting adjourned at 8:21 p.m. Submitted by: Julie McGraw, Clerk. A full version of the minutes are available at [www.mahtomedi.k12.mn.us](http://www.mahtomedi.k12.mn.us).

Published one time in the White Bear Press on March 6, 2019.

**INDEPENDENT SCHOOL DISTRICT NO. 832**

**MAHTOMEDI, MN 55115**

**MINUTES FEBRUARY 14, 2019**

A Study Session of the Board of Education of Mahtomedi Public Schools was held February 14, 2019, beginning at 7:00 PM in the Mahtomedi District Education Center-Community Room. CALL TO ORDER-Meeting called to order at 7:00 p.m. by Chair Lucy Payne. ROLL CALL OF ATTENDANCE-Present: Kevin Donovan; Julie McGraw; Lucy Payne; Judy Schwartz; Stacey Stout; and Superintendent Barbara Duffrin, ex-officio. Not Present: Mike Chevalier. Also present: Bill Menozzi, Director of Business Services and Lynne Viker, Assistant Superintendent of Learning. APPROVAL OF THE AGENDA- Donovan moved, Schwartz seconded, approval of the agenda. Carried 5-0. DISCUSSION/INFORMATION ITEMS-A) 2019-2020 School Year Enrollment Update-Bill Menozzi, Director of Business Services, updated school board members on the current 2018-2019 enrollment and the projected 2019-2020 enrollment. The administration is recommending setting the K-12 enrollment target at 3,295 for the 2019-2020 school year, keeping with the school board guidelines of: class sizes at or below the Metropolitan Educational Cooperative Service Unit (Metro ECSU) average for the elementary grades, adhering to the middle school model and the right size student of approximately 1200 students at the high school. B) 2019-2020 Budget Assumptions-Bill Menozzi, Director of Business Services, discussed with school board members the recommended 2019-2020 general fund preliminary budget assumptions which included: a State Aid increase of 1.5%, a local levy increase of approximately one million dollars and no change in Federal or other local revenue. Expenditures increases include employee wages and benefits, a transportation and insurance increase of 3% and no increase for supplies, materials, equipment or membership dues. C) 2018-2019 School District Calendar Changes-Superintendent Barbara Duffrin and school board members discussed the 2018-2019 calendar changes due to school being cancelled from January 28-31, 2019 because of snow or cold weather conditions. The school board agreed if there are additional cancellations a makeup day may be held on March 29, 2019, which is currently a staff development day for grades 6-12. Also discussed was future E-Learning days. ADJOURNMENT-Schwartz moved, Payne seconded, adjournment. Carried 5-0. Meeting adjourned at 8:04 p.m. Submitted by: Julie McGraw, Clerk. A full version of the minutes are available at [www.mahtomedi.k12.mn.us](http://www.mahtomedi.k12.mn.us).

Published one time in the White Bear Press on March 6, 2019.



**WHITE BEAR TOWNSHIP  
PUBLIC NOTICE**

NOTICE IS HEREBY GIVEN, That the Town Board of the Town of White Bear, Ramsey County, Minnesota, will meet at Heritage Hall, 4020 Otter Lake Road, in said Town on Monday, March 18, 2019 at 7:00 p.m., to authorize submittal of the proposed 2040 Comprehensive Plan to the Metropolitan Council, and to hear and pass upon objections and recommendations, if any, and to conduct any and all business incident thereto.

Given under my hand this 20th day of February, 2019.

BY ORDER OF THE TOWN BOARD OF SUPERVISORS

PATRICK CHRISTOPHERSON, Town Clerk

Published one time in the White Bear Press on March 6, 2019.



**WHITE BEAR TOWNSHIP**

**ADVERTISEMENT FOR BIDS**

Notice is hereby given that sealed bids will be received, publicly opened, and read aloud by representatives of the **Town of White Bear**, at the Town Administrative Offices, 1281 Hammond Road, White Bear Township, at 11:00 AM, on Wednesday, March 27, 2019, for furnishing all work and materials for the **Water Tower Painting** - Hammond Road project.

This project consists of the furnishing and application of the special coating system required to repaint the surfaces of the 750,000 gallon elevated water tower, in White Bear Township, Minnesota. Additional work includes furnishing and installing valves and electrical lighting.

Bidding Documents as prepared by TKDA are on file for inspection and purchase at TKDA, whose address is 444 Cedar Street, Suite 1500, Saint Paul, MN 55101.

Complete digital Bidding Documents for use by Bidders are available on [www.questcdn.com](http://www.questcdn.com). You may download the digital Bidding Documents for a non-refundable fee of \$25.00 by inputting Quest Project No. 6181510 on the website's Project search page. Please contact Quest Construction Data Network, LLC at (952) 233-1632 or [info@questcdn.com](mailto:info@questcdn.com) for assistance in free membership registration, downloading, and working with this digital project information.

Contractors desiring hard copies of the Bidding Documents for the purpose of submitting a bid may secure them from TKDA for a cost of Fifty Dollars (\$50.00) for each set. The cost will not be refunded.

A pre-bid meeting will be held on March 13, 2019 at 2:00 PM at the White Bear Township Administrative Office. Attendance to this meeting is not mandatory.

No Bid will be considered unless it is securely sealed in an envelope and filed with the Town Clerk prior to the time noted above for the closing of bids.

Each Bid must be accompanied by a bid bond or cashier's check payable to White Bear Township in an amount not less than five percent (5%) of the total Bid as a guarantee that the Bidder, if successful, will enter into a contract with the Owner for the work described in the Bid. This deposit will be subject to forfeiture as provided by the law. The deposits for the three lowest Bidders will be returned by the Owner until the contract has been awarded and executed but not longer than sixty (60) days. No Bid may be withdrawn for a period of sixty (60) days following the Bid opening.

The Owner reserves the right to reject any or all Bids, to waive informalities or to award the contract to the lowest responsible bidder, in the best interest of the Owner.

The Town Board anticipates consideration of award of contracts at the regular meeting on April 1, 2019.

Patrick Christopherson

Town Clerk

Dated: March 4, 2019

Published in the White Bear Press on March 6, 2019 and March 13, 2019

October 21, 2017

Tom Riedesel  
White Bear Township Planner  
1281 Hammond Road  
White Bear Township, MN 55110

Re: Comprehensive Plan Update 2040  
Labore Road Extension "Road to Nowhere"

Dear Tom,

The proposed construction of an "A- Level Service Highway" through White Bear Township wetland connecting the City of Vadnais Heights to the City of White Bear Lake should be removed from the White Bear Township Plan for 2040. White Bear Township will receive very little, if any, benefit to connect the dots between Vadnais Heights and the City of White Bear Lake. In fact, there will be a negative impact.

White Bear Township needs to assess what the negative impacts of an A- Level highway will be by greatly increasing auto, bus, truck and tractor trailer traffic on a two-lane neighborhood road through a wetland. The neighborhood area adjacent to the wetland will be greatly impacted by noise, air and light pollution, which should be avoided. The expansion of a new segment will add to existing vehicular traffic congestion, not reduce it.

A term in the plan that I find objectionable is "Level of Service." The "Level of Service" needs to be appropriately balanced with the overall impact on the surrounding neighborhood and wetland adjacent to the proposed change. The plan needs to address the neighborhood topography and characteristics that will be impacted. In this case, the residential neighborhood and the adjoining wetlands. Because of the generally hilly nature of this site, combining with a road that curves in and around the wetland area, it limits the speed and value of line of site issues. If implemented the increased traffic volume will stimulate new development from the remaining parcels on the Vadnais Heights side of White Bear Parkway, further congesting an already congested area. Furthermore, it is a little unbelievable to me that an industrial area in Vadnais Heights is directly across the street from a White Bear Township townhome association that also directly adjoins a wetland. Any increase in traffic will negatively impact the neighborhood and wetland. There is a light industrial area directly on the wetland. There is already too much noise and light pollution from this area as it is currently used. We also do not need to expand development so closely to White Bear Township's neighborhood Fox Meadow Park, also adjacent to the wetland. The proposed highway will further reduce the wetland's critical habitats for such birds as the Sand Crane and Bald Eagle, among other waterfowl.

The White Bear Township population will increase, but the increase is projected to be relatively modest compared with the entire metro area. The proposed increased traffic will be comprised of trips that will not originate in the neighborhood. The proposed highway traffic will be comprised of cut-through traffic, meaning trips that will not originate in the neighborhood.

The confluence of uses, involving the cities and White Bear Township emphasizes the need for immediate constructive coordination and planning.

What's different from when the original Comprehensive Plan 2040 was proposed and now:

- The key land parcel is no longer available
- Interstate Highway 35-E has been upgraded
- Highway 96 bridge has been upgraded
- Key funding grant is no longer available.

What White Bear Township must determine is who will benefit and what the ultimate costs will be to White Bear Township if the A- Level – Labore Extension Highway as proposed in Comprehensive Plan 2040 goes forward.

Sincerely,

Steve Swisher

DRAFT

EXTRACT OF MINUTES OF A MEETING OF THE TOWN  
BOARD OF THE TOWN OF WHITE BEAR, MINNESOTA,  
HELD ON MARCH 18, 2019

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 March 18, 2019 at 7:00 p.m.

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

Supervisor Ruzek introduced the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING THE SUBMITTAL OF THE  
2040 COMPREHENSIVE PLAN DRAFT TO THE  
METROPOLITAN COUNCIL AS REQUIRED BY MINNESOTA STATE LAW  
(METROPOLITAN LAND PLANNING ACT)**

**WHEREAS**, Minnesota Statutes section 473.864 requires each local governmental unit to review and, if necessary, amend its entire comprehensive plan and its fiscal devices and official controls at least once every ten years to ensure its comprehensive plan conforms to metropolitan system plans and ensure its fiscal devices and official controls do not conflict with the comprehensive plan or permit activities that conflict with metropolitan system plans; and

**WHEREAS**, Minnesota Statutes sections 473.858 and 473.864 require local governmental units to complete their "decennial" reviews by December 31, 2018; and

**WHEREAS**, the Town of White Bear submitted an Extension Request to the Metropolitan Council on May 9, 2018, with a completed application form and a copy of Resolution No. 18-16, which the Town Board or White Bear Township passed on May 7, 2018, indicating that the Town plans to submit its 2040 Comprehensive Plan Update, with adjacent community review completed, to the Metropolitan Council by March 20, 2019; and

**WHEREAS**, the Metropolitan Council staff found that the extension request application met the administrative review guidelines adopted by the Council on January 10, 2018, and the Council granted the Town's request to extend the comprehensive plan submission date to March 20, 2019, as indicated through a letter sent May 23, 2018; and

**WHEREAS**, the Town Board, Planning Commission, and Town Staff have prepared a proposed Comprehensive Plan intended to meet the requirements of the Metropolitan Land Planning Act and Metropolitan Council guidelines and procedures; and

**WHEREAS**, pursuant to Minnesota Statutes section 473.858, the proposed Comprehensive Plan was submitted to adjacent governmental units and affected special districts and school districts for review and comment on August 21, 2018, and the statutory six-month review and comment period has elapsed; and

**WHEREAS**, the Planning Commission has considered the proposed Comprehensive Plan and all public comments, and thereafter submitted its recommendations to this Board; and

**WHEREAS**, the Town conducted a public hearing on March 18, 2019 relative to the adoption of the proposed Comprehensive Plan; and

**WHEREAS**, the Town Board has reviewed the proposed Comprehensive Plan and those recommendations, public comments, and comments from adjacent jurisdictions and affected districts; and

**WHEREAS**, Minnesota Statutes section 473.858 requires a local governmental unit to submit its proposed comprehensive plan to the Metropolitan Council following recommendation by the planning commission and after consideration but before final approval by the governing body of the local governmental unit.

**WHEREAS**, based on its review of the proposed Comprehensive Plan and Planning Commission and staff recommendations, the City Council is ready to submit its proposed plan to the Metropolitan Council for review pursuant to Minnesota Statutes section 473.864; and

**NOW THERE, BE IT RESOLVED BY THE BOARD OF WHITE BEAR TOWNSHIP, MINNESOTA, AS FOLLOWS:**

1. The Township Planner is directed to distribute said Comprehensive Plan to the Metropolitan Council by March 20, 2019 pursuant to Minnesota Statutes section 473.864.

The motion for the adoption of the foregoing Resolution was duly seconded by Supervisor McCune, and upon vote being taken thereon, the following voted in favor thereof: Prudhon, Ruzek, McCune; 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 18<sup>th</sup> day of March, 2019, 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 the 2040 Comprehensive Plan.

WITNESS my hand as such Clerk and the Town Clerk's seal this 18<sup>th</sup> day of March, 2019.

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PATRICK CHRISTOPHERSON, Clerk-Treasurer



**Town Board Meeting  
March 18, 2019**

**Agenda Number: 8A – New Business**

**Town Planner Item:**

**Subject: DNR Outdoor Recreation Grant Program – Approve  
Submission of an Application**

**Documentation: Resolution**

**Action / Motion for Consideration:**

Town Planner Report at Meeting / Discuss

Based on Staff Review & Recommendation Adopt:

**Resolution Approving Submission of an Application for the DNR  
Outdoor Recreation Grant Program**

**Ruzek – Moves**

**McCune - Seconds**

EXTRACT OF MINUTES OF A MEETING OF THE TOWN  
BOARD OF THE TOWN OF WHITE BEAR, MINNESOTA,  
HELD ON MARCH 18, 2019

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 March 18, 2019 at 7:00 p.m.

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

Supervisor Ruzek introduced the following Resolution and moved its adoption:

**RESOLUTION APPROVING SUBMISSION OF AN  
APPLICATION FOR THE DNR OUTDOOR RECREATION  
GRANT PROGRAM**

BE IT RESOLVED that the Town of White Bear act as legal sponsor for the project contained in the Outdoor Recreation grant application to be submitted on or before March 29, 2019, and that Tom Riedesel is hereby authorized to apply to the Department of Natural Resources for funding of this project on behalf of the Town of White Bear.

BE IT FURTHER RESOLVED, That the applicant has read the Conflict of Interest Policy contained in the Outdoor Recreation Grant Program Manual and certifies it will report any actual, potential, perceived or organizational conflicts of interest upon discovery to the State related to the application or a grant award.

BE IT FURTHER RESOLVED That the Town of White Bear has the legal authority to apply for financial assistance, and financial capability to meet the match requirement (if any) and ensure adequate construction, operation, maintenance and replacement of the proposed project for its design life.

BE IT FURTHER RESOLVED that the Town of White Bear has not incurred any development costs and has not entered into a written purchase agreement to acquire the property described in the Cost Breakdown section on this application.

BE IT FURTHER RESOLVED THAT THE Town of White Bear has acquired fee title over the land described in the site plan included in the application.





**Town Board Meeting  
March 18, 2019**

**Agenda Number: 8B – New Business**

**Town Planner Item:**

**Subject: Saputo Shelter - Update**

**Documentation: None**

**Action / Motion for Consideration:**

Town Planner Report at Meeting / Discuss



**Town Board Meeting  
March 18, 2019**

**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