



WHITE BEAR TOWNSHIP

1858
RAMSEY COUNTY
MINNESOTA

1281 HAMMOND ROAD
WHITE BEAR TOWNSHIP, MN 55110

651-747-2750

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

AGENDA TOWN BOARD MEETING OCTOBER 7, 2019

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. Approve Minutes of September 16, 2019 & September 26, 2019 (Additions/Deletions).
5. **Consent Agenda:**
 - A. **BearScare Fun Run** – In Accordance with the Township's Special Events Policy, Approve the Joint Otter Lake Elementary/Lincoln Elementary Schools BearScare Fun Run on October 26, 2019, from 9:00 a.m. to 12:00 Noon from Hammond Road to Ninth Street via Otter Lake Road.
 - B. **Vacation of Drainage & Utility Easement Request @ 4850 Constellation Drive** – Call Public Hearing for Monday, November 4, 2019 Beginning @ 7:00 p.m. to Consider the Requests.
 - C. **Gilfillan Court No Parking Signs** – Authorize the Removal of the No Parking Signs on Gilfillan Court Noting no Future Posting of No Parking Signs Will be Allowed.
 - D. **Special Town Board Meeting** – Call a Special Town Board Meeting for Wednesday, October 30, 2019 @ 12:00 Noon at the Administrative Offices, 1281 Hammond Road, for an Employee Appreciation Gathering.
 - E. **Simplerecycling** – Receive & Accept the Termination Notice in Accordance with Section 23 of the Agreement for Collection of Soft Recyclables Executed on September 17, 2017.
 - F. **Right-of-Way Permit** - Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve the CenturyLink Permit to Replace Buried Cable to Service the Existing

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.



Residence at 4150 Hillaire Road Which Will Require Boring & Open Trenching.

6. **Old Business:**

A. **Water Meter Replacement Project – Update.**

7. **Public Hearings:**

A. **Christopher & Stephanie Ward, 1548 Hennessy Vista – Request for 22' Right-of-Way Setback Variance to Allow a 10' x 12' Shed (After-the-Fact).**

B. **SMC, 5800 & 5858 Centerville Road – Continuation of Hearing – Request for:**

- 1) Wetland Permit to Allow Filling & Mitigation
- 2) Minor Subdivision
- 3) Permitted Use Standards Permit

to Allow Construction of Two Additional Manufacturing/Office Buildings & an Addition to Building at 5800 Centerville Road.

8. **New Business:**

A. **Tim Wald - WBL #624 School District – Bond Referendum Presentation.**

B. **Municipal Services Agreement – City of Gem Lake.**

Town Planner Item:

C. **Off-Season Dock & Lift Storage.**

Public Works Director Item:

D. **MCES Services 2017 Municipal I & I Grant Program:**

- 1) Adopt Resolution Authorizing Participation in the MCES Services 2017 Municipal I & I Grant Program
- 2) Authorize Execution of the State of Minnesota General Obligation Bond Financed Certification Attachment 1-A

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 7, 2019

Agenda Number: 1 - 2 - 3 - 4

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

Approval of October 7, 2019 Agenda
Approval of Payment of Bills
Approval of Minutes of September 16, 2019 &
September 26, 2019

Documentation: October 7, 2019 Agenda
September 16, 2019 & September 26, 2019 Minutes

Action / Motion for Consideration:

Call meeting to order:	7:00 p.m.
Approval of Agenda:	October 7, 2019 (additions/deletions)
Approval of Payment of Bills	
Approval of Minutes:	September 16, 2019 & September 26, 2019 Meeting

**MINUTES
TOWN BOARD MEETING
SEPTEMBER 16, 2019**

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

Present: Supervisors: Prudhon, Ruzek, McCune; Clerk: Christopherson; Attorney: Lemmons; Town Planner: Riedesel; Town Finance Officer: Kelly; Engineer: Studenski; Public Works Director: Reed

Absent: None

APPROVAL OF AGENDA (Additions/Deletions): Ruzek moved to approve the agenda as submitted with the addition of 9A) a resolution of the Town's position on Water Gremlin. McCune seconded. Ayes all.

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

APPROVAL OF MINUTES OF SEPTEMBER 4, 2019 (Additions/Deletions): Ruzek moved to approve of the Minutes of September 4, 2019, with a minor correction that has been made. McCune seconded. Ayes all.

CONSENT AGENDA: McCune moved to approve 5A) Improvement 2019-3 – Street Improvement Project – Resolution providing for hearing on assessments for Monday, October 21, 2019 @ 7:00 p.m.; 5B) Special Town Board Meetings – Call special meeting for Tuesday, September 24, 2019 beginning @ 3:30 p.m. @ Wilbert Plastics, 4221 Otter Lake Road to attend a tour; Call special meeting for Thursday, September 26, 2019 Beginning @ 7:00 p.m. @ Heritage Hall, 4200 Otter Lake Road to attend a neighborhood meeting regarding the 2020 street improvements; 5C) Benson Airport Operation Plan – Receive annual report; 5D) Monthly Financial Report – Receive; 5E) Second Quarter Financial Report – Receive; 5F) Construction Activity Report – Receive; 5G) Right-of-Way Permit – Based on Town Engineer review & recommendation & including his recommended conditions, approve the CenturyLink permit to replace buried telephone cable to service the existing businesses along Meadowlands Drive at Birch Bend Lane which will require boring through two driveways & open trenching. Ruzek seconded. Ayes all.

2019 FLOW MONITORING – 1. RECEIVE QUOTES – 2. APPROVE QUOTE: The Public Works Director discussed some of the concerns he and staff have in regards to the Joint Powers Agreement. The idea is to ensure that all avenues are covered and that if there is extra flow that the Township gets reimbursed for that flow. That is the whole reason for the flow monitors. Since it is getting late in the year, however, and the monitors stay in for about two months, it was decided to wait until next year, spring of 2020, to implement them. This waiting period will give staff and the Town Attorney time to review the JPA and make sure everything is in place.

It was noted that maintenance, under which category the flow monitors fall into, are considered one lump sum, but the Attorney stated the Town could adjust it to quarterly to break up the expenses. The flow monitoring will also help figure out how best to charge each unit of North Oaks. The Public Works Director also noted that the flow monitors are not a yearly thing, just

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SEPTEMBER 4, 2019

routine maintenance every 5 years or so; it won't hurt the Township to wait until the spring. It was the consensus that the Board will table this item until the spring, though the amendment to the JPA will be approved in December.

McCune moved to table this motion until Staff and North Oaks review the JPA. Ruzek seconded. Ayes all.

IMPROVEMENT 2019-3 GENERAL OBLIGATION BOND HEARING – APPROVAL SALE OF BONDS FOR 2019 STREET IMPROVEMENT PROJECT: Ruzek motioned to note proper publication of the Hearing notice in newspaper & waive reading of the notice. McCune seconded. Ayes all. Ruzek motioned to open the Public Hearing. McCune seconded. Ayes all.

Representative of Baker Tilly, Paul Steinman, was present to report on the bonding information and plans, instructing the Board on a new change in a downsize of the bond from \$1,310,000 to 1,205,000. There were 24 competitive underwriters who offered to bond for the Township, but Robert W. Baird & Co., Inc. came out ahead with the lowest true interest rate of 2.017 %. Because of all the underwriters came premium bonds, which means the Township got another source of about \$94,000 of funding, ending up with the same amount of money, but borrowing less.

It was noted that Steinman, the Town Clerk, and Town Finance Officer had a conference call with staff of Moody, and they affirmed the rating Aa2, which Steinman noted as an "excellent" bond rating. It was noted that there were three factors that could lead to an upgrade: materials, tax-based growth, or economic expansion; three factors that could lead to a downgrade: deterioration of tax-base, material declines in reserves/liquidity, or increasing leverage.

It was noted that the Town should be pleased with the new change. There was discussion on the market from four weeks ago verses the morning of September 16th. Steinman noted that it is a "really good time to be in the market." The Town Finance Officer requested a reading of the revised resolution.

Ruzek motioned to the open public comment portion – ask for comments. McCune seconded. Ayes all. Ruzek motioned to close public portion of hearing. McCune seconded. Ayes all.

Ruzek moved based on Bond Attorney & staff review & recommendation adopt the resolution awarding the sale of \$1,205,000 general obligation improvement bonds, series 2019A fixing their form and specifications; directing their execution and delivery; and providing for their payment. McCune seconded. Ayes all.

SMC, 5800 & 5858 CENTERVILLE ROAD – REQUEST FOR: 1) WETLAND PERMIT TO ALLOW FILLING & MITIGATION; 2) MINOR SUBDIVISION; 3) PERMITTED USE STANDARDS PERMIT TO ALLOW CONSTRUCTION OF TWO ADDITIONAL MANUFACTURING/OFFICE BUILDINGS & AN ADDITION TO BUILDING AT 5800 CENTERVILLE ROAD: Ruzek motioned to note proper publication of the hearing notice in newspaper & waive reading of notice. McCune seconded. Ayes all. Ruzek motioned to open the public hearing. McCune seconded. Ayes all.

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SEPTEMBER 4, 2019**

The Town Planner introduced SMC and the current proposal of adding two additional buildings and adding on to a current building. The Minor Subdivision request would change the property from an "outlot" to "Lot 1, Block 1, SMC Second Addition". The Wetland Permit would be needed to fill and mitigate wetland on the property. The previous regulation used to delineate wetland 1:1, but currently is 1:0.75 per square foot, so SMC will actually be creating more wetland, filling 63,228 square feet, adding 115,220. This is shown in the shaded areas of the map. SMC will also use a few wetland buffers to achieve the 2-1 ratio. The Permitted Use Standards Permit and a Zoning Ordinance amendment are also requested.

Because an empty adjacent back lot requires increased setback for driveways and back lots, the Planning Commission did not approve of the amendment due to the back lot remaining vacant, it is not residentially used or zoned. If there was an industrial building in that back lot the setback would be 15 feet for the drive lane, whereas if there was a residential property the setback would be 20 feet.

The proposals come with full landscape and engineering plans. The landscape plan does meet the requirements; parking requirements based on sizes of buildings are being met. There was discussion of the private road in SMC, and it will remain private, never to become a public road. There was discussion of grading.

The Town Engineer stated the components design wise, storm pipes, drainage, Hydrology, and buffer requirements that aren't being met to the Town's standards. VLAWMO has accepted the proposal, the Army Core of Engineers are reviewing the proposal, SEH is reviewing the proposal. There was discussion in timing; Riedesel stated that the smaller details will be ironed out in the next few weeks.

Ruzek motioned to open the public comment portion – ask for comments. McCune seconded. Ayes all.

Clark Wicklund from Alliant Engineering was present to address some of the Town Engineer's concerns. He has been on the project since the beginning in 2007. Wicklund discussed the buffer of the wetland, stating that VLAWMO approved, and discussed this subject at length with the Army Core of Engineers, DNR, and BOWSR. The reason for it is because they can't mow so closely to the created wetland. He noted that the Army Core individual permit will be issued this month. It was also noted that this overall project is now seeing "as much as twice as many" wetlands because of the ditch that was filled by the neighbors in the 90's to construct their dirt bike trail, however, SMC hasn't requested exemption or asked for any other party to take care of the issue.

In regards to the TKDA analysis, the buffer was discussed with the Town Planner as were all of the items on the TKDA list with the Township. It was noted that the water quality will be very high due to the practical difficulty to get the water off of the site, accepted by VLAWMO.

Neighbor Ray Siebenaler, who owns the abutting 10 acres, stated that the Planning Commission approved the proposal predicated on the retaining wall near the corner of their property. It was noted that they aren't getting water now, but that they don't want to get water. Siebenaler stated

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that the 100 years storm is 6.6" of rainfall within 24 hours, while he said nearly happened a couple times this year. The engineers from Alliant showed Siebenaler the current plans that do have a small retaining wall. It was the consensus that SMC staff and Alliant Engineers will meet with the neighbors to ensure their comfort moving forward.

There was discussion about Storm Water Management Ordinance number 87, and that there needs to be clarification on what this buffer, retaining wall, is and how it will impact the wetlands. Tony Kaster, a wetland scientist with Alliant Engineering stated that the reason behind the motivation for the retaining walls around the mitigated wetland is to minimize impacts. VLAWMO and the Corp of Army Engineers accepted that proposal. He showed on the map that green is mitigated wetland, they've designed it to be a wet meadow saturated to the surface with grasses, sedges, wild flowers, etc. The blue areas have 6 inches of standing water. The goal, Kaster said, is to replace the impacted wetlands with the same type of wetlands, though it doesn't have to be all cattails and running wild, like when one thinks of wetlands. These mitigated wetlands will have sandy soils so the water levels will stay around 6 inches in those areas, and just on the surface in the other areas. The Board appreciated the clarification, as they want to ensure public safety.

Ruzek motioned to Close Public Portion of Hearing. McCune seconded. Ayes all. Ruzek made a motion to continue the public hearing until the Town Board meeting of October 7th to discuss the projects of SMC, 5800 & 5858 Centerville Road. McCune seconded. Ayes all.

2020 PRELIMINARY TAX LEVY – RESOLUTION ADOPTING THE PRELIMINARY AMOUNT TO BE RAISED BY PROPERTY TAXES FOR THE YEAR 2020: The Town Finance Officer explained that over the last couple weeks staff has worked hard on the budget, looking for things to cut to lower the levy. At the March Annual Town Meeting the levy was set to be \$4.3 million. Since then staff have dropped it to \$4,150,925, and when applied against the Town's tax capacity it would give the Town a tax rate of 24.943%. Within this total levy are property tax (\$3,781,647), fiscal disparities (\$303,886), and a debt levy (\$65,392), for a total of \$4,150,925.00. It was noted that the written debt levy will change based on the numbers Steinman gave of the bonding news. The fiscal disparities are not going to change, and property taxes could go down. It was noted that last year's taxes went down almost 7% from the preliminary levy to the final levy. To keep things moving forward, the Board needs to approve this levy tonight.

Ruzek motioned based on Finance Officer review & recommendation to adopt the resolution adopting the preliminary amount to be raised by property taxes for the year 2020. McCune seconded. Ayes all.

2020 UTILITY RATES – APPROVE The Town Finance Officer reported that the Utility Commission reviewed and approved these rates at their July meeting. They had calculated out water usage rates and lowered it a bit due to the cumulative accuracy of the new meters. It was noted that sewer rates will go down too with the new meters. Page 133 shows how staff plugged in those capital improvement and operating costs. With the money saved, water, sewer, and storm funds will allow the cash flow the next few years.

It was noted that in the past the Utility Commission hasn't understood where the Finance Officer was coming from. Currently, staff has worked hard to sync the budget up with the calendar,

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making the necessary improvements at the right time. It was also noted that the only rates to go up are the higher usage rates, which further encourages water conservation and eliminating excess usage. There was minor discussion on the expense of maintaining the Town's infrastructure.

McCune moved based on Utility Commission & Finance Officer review & recommendation approve the utility rate changes as outlined in the attached memo. Ruzek seconded. Ayes all.

WELL #5 SEEPAGE POND IMPROVEMENT – RECEIVE QUOTES – AWARD QUOTE: The Town Engineer explained that he has been working with Public Works and the MPCA on well #5 seepage pond on Otter Lake Road. Staff put the item out for bid and received two quotes. It was noted that this project needs to be completed before colder weather. The two quotes received were from Jeanetta and Sons for \$26,495.00 and New Look Contracting \$44,250.00. The lowest quote came in just under the Engineer's estimate.

A question was raised as to whether the Town is just going to have to do this maintenance again in 3-5 years. The Engineer stated that the Town is looking at other options. He gave a brief history of staff needing to run the well more often due to more blending of the Town's water. Staff are planning on a more cost-effective way to fix the problem going forward, so as to not have to do this routine maintenance every 3-5 years. There was discussion on what work is being done currently on Otter Lake Road. It was noted that that is a completely separate project, nothing to do with well #5 or water in general.

Based on Town Engineer review & recommendation Ruzek moved to receive quotes. McCune seconded. Ayes all. Based on Town Engineer review & recommendation Ruzek moved to award quote to the lowest responsible company, Jeanetta and Sons in the amount of \$26,495.00. McCune seconded. Ayes all. Based on Town Engineer review & recommendation Ruzek moved to authorize TKDA to perform the construction observation process & the MPCA coordination activities for an amount not to exceed \$2,750.00 noting funding from the water operating fund. McCune seconded. Ayes all.

MINOR SUBDIVISION REQUEST – NORTHWOODS ENTERTAINMENT LLC, 1180 COUNTY ROAD J/SCHWING AMERICA, 5900 CENTERVILLE ROAD – REQUEST FOR MINOR SUBDIVISION TO ALLOW CONSTRUCTION OF NEW PYLON SIGN: The Town Planner summarized this request for the minor subdivision. Northwoods Entertainment is looking to purchase a strip of property leading to their sign. Currently the theater has an easement from Schwing, as the sign is on their abutting property. MnDOT has a problem with companies maintaining signs that are not owned by the business, and for this reason Northwoods is looking for a lot line rearrangement.

Dale Header from Northwoods Entertainment was present to discuss this agenda item and answer any questions. He stated that it has been this way for 24 years, but that they just learned of this and are working to correct it. A question was asked of whether or not there will be any aesthetic improvements to the sign. It was noted that the poles will be black, and the sign will be a square electronic reader board.

**MINUTES
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SEPTEMBER 4, 2019**

The Town Attorney noted that the Town should make sure to adjoin the tax parcels and review the landlocked parcel. It was the consensus that staff will be in contact with the attorney regarding this matter.

Ruzek moved based on Planning Commission & staff review & recommendation approve the minor subdivision request for Northwoods Entertainment LLC, 1180 County Road J/Schwing America, 5900 Centerville Road to allow construction of a new pylon sign, with changes as recommended by the Town Attorney combining to make one tax parcel. McCune seconded. Ayes all.

BALLFIELD GROOMER – APPROVE PURCHASE: The Public Works Director reported that in order to maintain all Town ball fields, he has recommended purchase of new equipment of this multiple use ballfield groomer. It was noted that ABI Attachments is the only manufacturer to have this stand-up groomer with all the attachments necessary for the Township. Public Works staff has this equipment at the City of Chanhassen, and they like and use the equipment so much they are looking to purchase another one. Staff has found that it performed above and beyond expectations. It was noted that the Township pays about \$9,500 annually just to maintain the ball fields, and the equipment will pay for itself in about three years, after that the only expense will be staff's time.

Some of the attachments noted on page 163 of the packet are VibraFlex 5" Infield Drag, Profile Blades for Rascal MVP & Force, Mini-Box Blade for ABI Force, 6" Rigid Drag Mat with Level Bar, 7" Fine Finish Broom, 46" Plug Aerator System with 300 lbs, Removable Broadcast Spreader, Pro Edger System with Cleanup Blade.

There was discussion of the life span of this equipment; with only six fields, it is expected to be at least 10 years. It was also noted that since this is a unique piece of equipment, there were no other sources for bids, usually there has to be one other source for bid.

Ruzek moved based on staff review & recommendation accept the quote and approve the purchase of a 2019 ABI Force z23slt & attachments in the amount of \$27,801.00 with only that bid as it is a unique piece of equipment, with funding from the Capital Equipment Fund. McCune seconded. Ayes all.

PICK-UP #32 REPLACEMENT – RECEIVE BIDS & APPROVE REPLACEMENT: The Public Works Director reported that the 2019-2028 Capital Improvement Plan includes replacement of this truck. The current truck is about 10 years old and has over 70,000 plowing miles on it. The trucks listed all have the same snow plow packages: Midway Ford Commercial, Tenvoorde Ford, Apple Autos. The proposed replacement is a 2020 Ford F250 4X4 pickup truck. The delivery of the replacement will be early 2020. The lowest bid was Apple Autos as \$30,921.80.

McCune moved based on Public Works Director review & recommendation to receive the quotes. Ruzek seconded. Ayes all.

**MINUTES
TOWN BOARD MEETING
SEPTEMBER 4, 2019**

McCune moved based on Public Works Director review & recommendation to approve the quote from Apple Autos in the amount of \$30,921.80 to replace pick-up truck #32 with funding from the Capital Equipment Fund. Ruzek seconded. Ayes all.

ADDED AGENDA ITEMS – WATER GREMLIN STANCE: The Town Clerk submitted a draft for the statement for how the Board would like to position the Town in regards to Water Gremlin. The Town Clerk read the position, and there were minor changes made that are included. White Bear Township's position on the Water Gremlin situation is as follows:

"White Bear Township's Board of Supervisors and staff have been monitoring the ongoing issues specific to Water Gremlin since the Minnesota Pollution Control Agency notified the Public in January of 2019. The Board has been dismayed, to say the least, at Water Gremlin's failure to grasp the many opportunities it has been handed to comply since the beginning of the year.

"At this point, the Board will continue to observe the situation and defer to the rightful authority, the MPCA and Minnesota Department of Health, as the agencies have preemptive authority over the Township in these matters. If there is any responsibility that falls upon the Township as directed by the MPCA, we will act accordingly."

It was noted that the Town cannot revoke permits based solely on emissions in the environment, the Township simply has no authority to do that, because the MPCA has the authority over chemicals.

It was the consensus that the Town will formerly adopt, make sure it is on the website and in the news (*WBP*).

OPEN TIME: Randy Jessup, candidate for Ramsey County Commissioner, was present to introduce himself and comment on the Board's position on the Water Gremlin situation as well as other items. He stated that he was impressed with the state of the Township and the stance; stating also that he's kept up with the situation in the news and was present at the August 27th MPCA meeting. Jessup stated that he is encouraged by the new commissioner of the MPCA, that she will ensure that Water Gremlin will comply.

Jessup also stated that he applauds the Township in general for their efforts. He noted a couple things that will impact the community and the Township, like the WBL School Board Bond referendum. He stated that he understands what the school district is seeking and it puts the district on a level with other districts that are in a similar league, like Mounds view, which has a similar referendum, or Roseville, which has a higher referendum. Jessup noted that after meeting with the Superintendent, he is going to some follow-up meetings to show his support, not as a voter as he is not in this area, but just to show that he thinks this referendum is a good idea.

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

McCune moved to adjourn the meeting at 9:46 p.m. Ruzek seconded. Ayes all.

**MINUTES
TOWN BOARD MEETING
SEPTEMBER 4, 2019**

Respectfully Submitted,

Patrick Christopherson
Town Clerk-Treasurer

Approved as Official Meeting Minutes

Town Board Supervisor Date

DRAFT



**WHITE BEAR
TOWNSHIP**

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

**MINUTES
SPECIAL TOWN BOARD NEIGHBORHOOD MEETING
SEPTEMBER 26, 2019**

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

Present: Supervisors: Prudhon, McCune; Clerk: Pat Christopherson; Town Engineers: Studenski & Poppler; Public Works Director: Reed.

Absent: Ruzek.

The Engineer explained that the meeting is a public meeting regarding the proposed 2020 street improvements in White Bear Township.

2020 STREET IMPROVEMENTS:

Town Engineer Presentation: The Town Engineer explained that the meeting is informal and that the purpose is to get information out to the residents and to receive feedback.

The Town Engineer presented overheads showing the general layout of the streets that are being considered for improvement next year.

Public Questions / Comments: The Town Engineer & staff fielded questions from those in attendance.

RECEIPT OF AGENDA MATERIALS / SUPPLEMENTS: All agenda materials & supplements for tonight's meeting were received.

The meeting adjourned at 8:30 p.m.

Respectfully Submitted,

Patrick Christopherson, Clerk-Treasurer



recycled paper



**Town Board Meeting
October 7, 2019**

Agenda Number: 5A – Consent Agenda

Subject: BearScare Fun Run – In Accordance with the Township’s Special Events Policy, Approve the Joint Otter Lake Elementary/Lincoln Elementary Schools BearScare Fun Run on October 26, 2019, from 9:00 a.m. to 12:00 Noon from Hammond Road to Ninth Street via Otter Lake Road

Documentation: Staff Memo w/ attachments

Action / Motion for Consideration:

Receive Information / Discuss

In Accordance with the Township’s Special Events Policy, Approve the Joint Otter Lake Elementary/Lincoln Elementary Schools BearScare Fun Run on October 26, 2019, from 9:00 a.m. to 12:00 Noon from Hammond Road to Ninth Street via Otter Lake Road

MEMORANDUM

TO: TOWN BOARD
FROM: PATTI WALSTAD
DATE: OCTOBER 1, 2019

SUBJECT: BEARSCARE FUN RUN

WBL School District #624 has requested approval from the Town for the 5th annual BearScare Fun Run on October 26, 2019 from 9:00 a.m. to 12:00 noon from Hammond Road to Ninth Street via Otter Lake Road. This event has been held in the past without incident.

In accordance with the Special Events Policy, a certificate of insurance has been provided listing White Bear Township as an additional insured.

BEAR SCARE FUN RUN

SATURDAY
OCTOBER 26TH
2019

REGISTRATION & ACTIVITIES
9AM - 9:30AM

GHOSTS & GHOULS

Come out in costume and join us for a very fun Fall Run/Walk to raise money for Lincoln Elementary & Otter Lake Elementary!

Music by Davey Doodle

For information and registration visit:
<http://bit.ly/bearscafe19>

\$20/RUNNER

COSTUME WINNERS

(random drawing)
Announced at 9:45AM

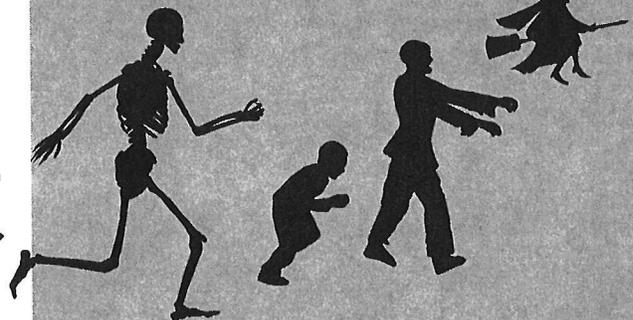
1/2 MILE SKELETON SKIP
10:00AM

FREAKY FOUR MILER/
TERRIFYING TWO MILER
10:15AM

Various sponsorship & advertising opportunities available.
Please contact us at bearscaferun@gmail.com today!

Scholarships are available

5th ANNUAL



Lincoln and Otter Lake Elementary Schools

Early Birds

Registration \$15 per runner if registered by October 10th. You will be Guaranteed a shirt on race day. \$20 per runner if you register after the early bird cut-off. Your shirt will be available for pick up 2 weeks after the race at your chosen school. For anyone interested in ordering a shirt but not racing, we will have order forms on race day - shirts will be \$20 dollars

Patti Walstad

From: Tom Riedesel
Sent: Monday, September 30, 2019 10:03 AM
To: Patti Walstad
Subject: FW: 5th Annual BearScare Fun Run
Attachments: BearScare_11x17_2019.pdf

Town Board approval?

From: Carrie Troske [mailto:Carrie.Troske@isd624.org]
Sent: Monday, September 30, 2019 10:00 AM
To: Tom Riedesel <Tom.Riedesel@whitebeartownship.org>
Subject: 5th Annual BearScare Fun Run

Caution: This email originated outside our organization; please use caution.

Good Morning, Tom~

It's that time of year again - time for the BearScare Family Fun Run - it's our 5th Annual this year! We are hoping for Board approval once again, can you please share out - or let me know if you'd like me to circle in w/ anyone else?

I have attached a flyer that we created for this years event.

The main details are:

Saturday, October 26th

Main location Otter Lake Elementary

Costume Fun Run from Otter Lake - to Lincoln, and back.

Folks can either walk / run back from Lincoln, or ride a shuttle (school) bus

We use Otter Lake Road (cross at H2), and then go down 9th Street - same route back.

Registration / Activities begin at Otter Lake 9-9:30am

We are also reaching out / getting approval from Tamarack Nature Center as we use their paths along Otter Lake Road (rather than the road where we can) as well. We also have volunteer Course Marshall's along the way and at intersections.

As in years past, we can post route signs 2 days prior (unless you direct us differently) and fill in with more, day of.

I have also put in a request for an updated Certificate of Insurance.

Please let me know any other details I can take care of, and THANK YOU for your time and assistance.

Have a great day!

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WHITE BEAR TOWNSHIP SPECIAL EVENTS POLICY

WHEREAS THE TOWN BOARD RECEIVES REQUESTS FROM ORGANIZATIONS FOR SPECIAL EVENTS THAT ARE HELD IN WHITE BEAR TOWNSHIP, THE FOLLOWING POLICY IS HEREBY ESTABLISHED:

- 1) All special events held within the Town limits shall require Town Board approval.
- 2) Applicants shall submit a written request explaining their request, including the date, time of day, maximum number of attendees, responsible person (name and day time phone number), and all streets they are requesting to use during the event.
- 3) The applicant shall submit a Certificate of Insurance for General Liability, in the maximum amount provided by law, naming the Town of White Bear **as an additional insured** for the event. Certificate shall be stated as follows:
"TOWN OF WHITE BEAR, ITS OFFICERS, EMPLOYEES AND ASSIGNS".
- 4) Applicant's request shall include a statement regarding their contact with and approval (if required), from all agencies that may be involved with the event (i.e. RAMSEY COUNTY SHERIFF'S DEPARTMENT; RAMSEY COUNTY PARKS & RECREATION DEPARTMENT, RAMSEY COUNTY PUBLIC WORKS DEPARTMENT, WHITE BEAR LAKE FIRE DEPARTMENT, ETC.)
- 5) Applicant shall provide route notification to the residents and businesses in the affected neighborhoods by way of temporary signs along the route, as directed by the Town Board, a minimum of 5 days in advance of the event. Spraying paint on roads, telephone poles and sidewalks is prohibited - chalk is acceptable. Permanent road signage such as speed limit signs and directional signs shall not be covered by event signage.
- 6) Applicant shall be responsible for clean-up of all debris, litter, etc., resulting from the event. Applicant shall remove all temporary signage immediately after the event.
- 7) All of the above information must be submitted to the Township Office a minimum of 30 days prior to the Town Board Meeting at which the application will be considered – incomplete applications will not be considered. The 30 day requirement may be waived by the Town Board by petition of the applicant for special circumstances.
- 8) White Bear Township reserves the right to revoke all permits granted.

APPROVED BY THE TOWN BOARD MAY 3, 1999;
Amended May 6, 2002; June 2, 2003; & October 3, 2011

RAMSEY COUNTY SHERIFF'S DEPARTMENT 651-767-0640
RAMSEY COUNTY PUBLIC WORKS DEPARTMENT 651-266-7100
RAMSEY COUNTY PARKS & RECREATION DEPARTMENT 651-748-2500
WHITE BEAR LAKE FIRE DEPARTMENT 651-429-8568



**Town Board Meeting
October 7, 2019**

Agenda Number: 5B – Consent Agenda

Subject: Vacation of Drainage & Utility Easement Request @ 4850 Constellation Drive – Call Public Hearing for Monday, November 4, 2019 Beginning @ 7:00 p.m. to Consider the Requests

Documentation: Public Notice

Action / Motion for Consideration:

Receive Information / Discuss

Call Public Hearing for Monday, November 4, 2019 Beginning @ 7:00 p.m. to Consider the Requests for the Vacation of a Drainage & Utility Easement @ 4850 Constellation Drive



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, November 4, 2019, at 7:00 p.m., to consider the following item:

- Vacation of a Drainage & Utility Easement described as follows:

(Legal description has not been received at this time)

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

Given under my hand this 7th day of October, 2019.

BY ORDER OF THE TOWN BOARD OF SUPERVISORS

PATRICK CHRISTOPHERSON, Clerk-Treasurer



**Town Board Meeting
October 7, 2019**

Agenda Number: 5C – Consent Agenda

Subject: Gilfillan Court No Parking Signs – Authorize the Removal of the No Parking Signs on Gilfillan Court Noting no Future Posting of No Parking Signs Will be Allowed

Documentation: E-mail

Action / Motion for Consideration:

Receive Information / Discuss

Authorize the Removal of the No Parking Signs on Gilfillan Court Noting no Future Posting of No Parking Signs Will be Allowed

Patti Walstad

From: nyreidr@gmail.com
Sent: Tuesday, September 24, 2019 12:02 PM
To: Patti Walstad
Subject: Gilfillan Court No Parking Signs

Caution: This email originated outside our organization; please use caution.

Patti
This is to confirm our conversation and request that the No Parking signs on Gilfillan Court be removed during the street reconstruction. The Board of Southwinds does not think they are necessary and requesting they be permanently removed.

As always I can be contacted at my email or phone number below.

Bob
President Southwinds of Gilfillan Hills Board

Bob Nyre
nyreidr@gmail.com
701-720-3937 cell



**Town Board Meeting
October 7, 2019**

Agenda Number: 5D – Consent Agenda

Subject: Special Town Board Meeting – Call a Special Town Board Meeting for Wednesday, October 30, 2019 @ 12:00 Noon at the Administrative Offices, 1281 Hammond Road, for an Employee Appreciation Gathering

Documentation: Public Notice

Action / Motion for Consideration:

Receive Report / Discuss

Call a Special Town Board Meeting for Wednesday, October 30, 2019 @ 12:00 Noon at the Administrative Offices, 1281 Hammond Road, for an Employee Appreciation Gathering



Public Notice

Special Town Board Meeting

Wednesday, October 30, 2019

at 12:00 Noon

**at the Township Administrative Office
1281 Hammond Road
White Bear Township MN 55110**

- ◆ Annual Employee Appreciation Gathering



**Town Board Meeting
October 7, 2019**

Agenda Number: 5E – Consent Agenda

Subject: Simplerecycling – Receive & Accept the Termination Notice in Accordance with Section 23 of the Agreement for Collection of Soft Recyclables Executed on September 17, 2017

**Documentation: Simplerecycling Correspondence /
Section 23 of Contract**

Action / Motion for Consideration:

Receive Report / Discuss

Receive & Accept the Termination Notice from Simplerecycling in Accordance with Section 23 of the Agreement for Collection of Soft Recyclables Executed on September 17, 2017



September 16, 2019

Dear Municipal Partner,

Pursuant to the terms of our AGREEMENT FOR COLLECTION OF SOFT RECYCLABLES, Great Lakes Recycling, Inc. dba Simple Recycling is hereby providing official notice of termination without cause with 180 days notice in accordance with the terms of our agreement.

We appreciate your support of our program, but due to low participation and market conditions, the program is not longer able to continue in its current format.

Please contact Sonny Wilkins for additional information at Sonny@SimpleRecycling.com.

Regards,

A handwritten signature in black ink, appearing to read "Adam Winfield", with a long horizontal line extending to the right.

Adam Winfield
Simple Recycling, President

RECEIVED

SEP 20 2019

TOWN OF WHITE BEAR

Meetings After Collection Begins. After Collections begin, meetings shall be held no less frequently than a quarterly basis, unless otherwise mutually agreed, between representatives of the parties. Such meetings will be held for the purpose of reviewing and discussing day-to-day operations, promotion, public information and public relations, and may be carried out by telephone

Designation of Representatives. Each party shall send at least one representative to each meeting. TOWN shall send to each meeting at least one staff member with operation expertise. Each party shall designate one, and only one, representative as its Lead Representative. If a party sends only one representative to any meeting, that person shall be conclusively presumed to be its Lead Representative.

22. Compliance with Laws and Regulations. Contractor agrees that, in performance of work and services under this contract, Contractor will qualify under and comply with any and all applicable federal, State and local laws and regulations now in effect, or hereafter enacted during the Term, which are applicable to Contractor, its employees, agents or subcontractors, if any, with respect to the work and services described herein.

23. Termination and Breach. Either party may terminate this Agreement without cause upon one hundred eighty (180) days written notice. Should TOWN elect to terminate this Agreement without cause under the aforementioned provisions or if Contractor terminates this agreement for-cause, TOWN shall not enter into any other Soft Recyclables program in the TOWN'S Service Area for a period of eighteen (18) months unless undertaken with the Contractor, unless said restriction is waived in writing by the Contractor. However, should TOWN elect to terminate this Agreement for-cause due to an uncured breach by the Contractor, TOWN shall not be precluded from entering into any other agreement for the collection, identification, packaging, hauling, recycling and/or disposing of Soft Recyclables.

In the event of a breach of the terms and conditions of this Agreement by either Party hereunder, the non-breaching Party may elect to terminate this Agreement by providing the defaulting Party with a written notice of such default, and allowing the breaching Party a period of thirty (30) days from and after the date of such notice to cure the breach complained of to the satisfaction of the non-breaching Party. In the event said breach is not cured within the thirty (30) day period, this Agreement shall be terminated (for-cause) as of the last day of the period. In the event TOWN is the non-defaulting party, Contractor agrees to furnish services under this Agreement until such time as another Soft Recyclables collection and disposal contractor can be selected by TOWN.

24. Severability. Should one or more of the provisions of this Agreement be held by any court to be invalid, void or unenforceable, the remaining provisions shall nevertheless remain and continue in full force and effect, provided that the continuation of such remaining provisions does not materially change the original intent of this Agreement.

25. Independent Contractor Status. In the performance of services pursuant to this Agreement, Contractor shall be an independent contractor and not an officer, agent, servant or employee of TOWN. Contractor shall have exclusive control over the details of the service and work performed and over all persons performing such service and work. Contractor shall be solely responsible for the acts and omissions of its officers, agents, employees, Contractors and subcontractors, if any. Neither Contractor nor its officers, agents, employees or subcontractors



**Town Board Meeting
October 7, 2019**

Agenda Number: 5F – Consent Agenda

Subject: **Right-of-Way Permit** - Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve the CenturyLink Permit to Replace Buried Cable to Service the Existing Residence at 4150 Hillaire Road Which Will Require Boring & Open Trenching

Documentation: Town Engineer Correspondence w/map

Action / Motion for Consideration:

Receive Report / Discuss

Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve the CenturyLink Permit to Replace Buried Cable to Service the Existing Residence at 4150 Hillaire Road Which Will Require Boring & Open Trenching.



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

October 1, 2019

Honorable Chairman and Town Board
White Bear Township, Minnesota

Re: CenturyLink Permit Application
4150 Hillaire Road
White Bear Township, Minnesota
TKDA Project No. 17127.000

Dear Board Members:

CenturyLink has applied for a permit to replace buried cable to service the existing residence at 4150 Hillaire Road. The proposed improvement will be performed through boring and open trenching.

We recommend approval with the following conditions:

1. Contractor must protect all driveways during directional boring.
2. Contractor must protect the sewer and water service to the homes.
3. Hillaire Road is proposed for reconstruction in 2020.
4. Disturbed areas shall be restored equal to or better than original condition.
5. 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.
6. Call Gopher One-Call prior to any work.

Sincerely,

A handwritten signature in black ink that reads "Jim Studenski".

Jim Studenski, P.E.

Town Engineer

Attachments

DATE:	9/27/19
JOB #	19126829

INFORMATION ON LOCATION:
CUSTOMER NAME: Paul & Barba Keleher
ADDRESS: 4150 Hillaire RD
WORK TO BE PERFORMED: Plow 350 feet of 3pr 22 gauge copper cable, including a bore under driveway at 4130 Hillaire RD from ped to house.

INFORMATION ON UTILITY COMPANY:
COMPANY NAME: Century Link
ADDRESS: 6540 Shingle Creek Parkway
CITY/STATE/ZIP: Brooklyn Center 55430
CONTACT PERSON AND PHONE NUMBER: Patrick Geiger 651-312-5499

INFORMATION ON CONTRACTOR:
COMPANY NAME: Telcom Construction
ADDRESS: PO Box 189
CITY/STATE/ZIP: Clearwater MN 55320
CONTACT PERSON AND PHONE NUMBER: Jane Brown 320-365-0086

Approval: _____ Date: _____

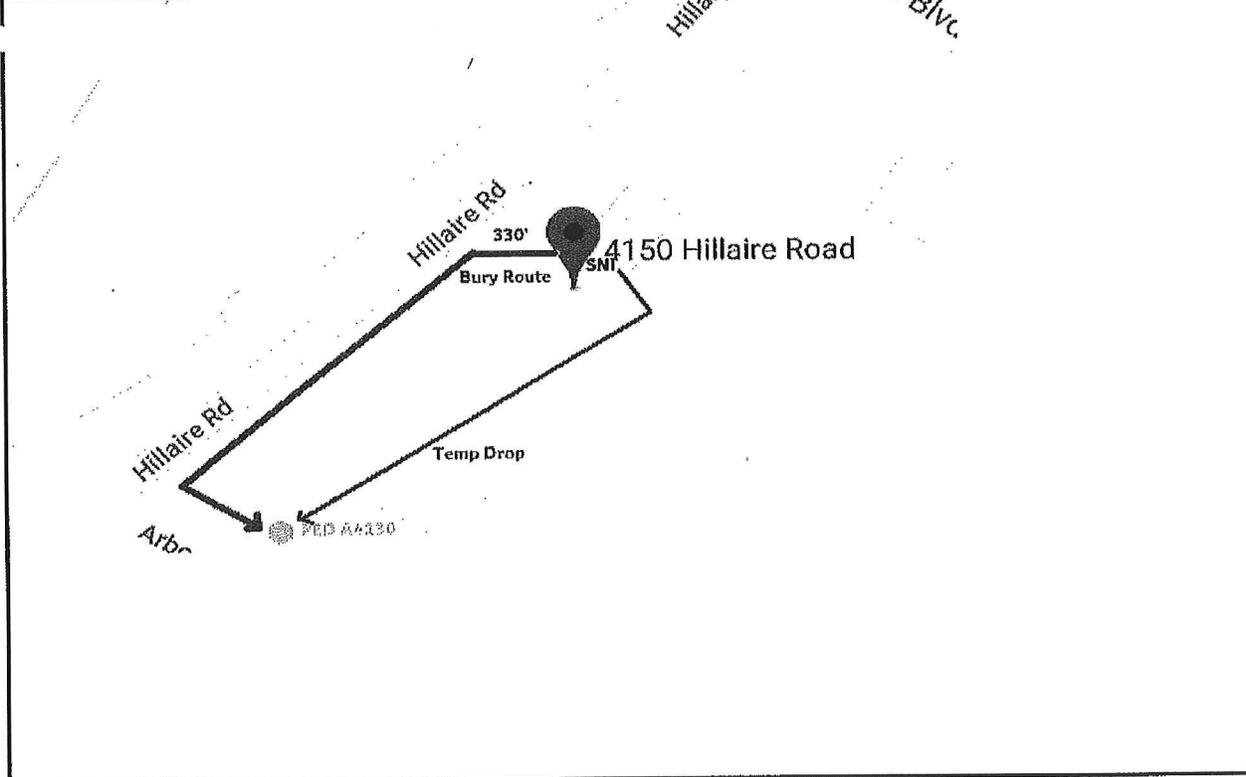
Please return to Jane Brown : jane.brown@telcomconstruction.com

CenturyLink BSW Order/Maintenance Work Authorization

Company	T600	Exchange Name	WBLKMNWB	Service Order#	607747359
Work Activity	Drop-Buried Copper		Capital	N	Maintenance
Customer Name	Paul Keleher			Phone#	6514294048
Address	4150 Hillaire Rd			One Call Ticket#	
City & Zip	White Bear TWP, 55110				
Location/Directions	South Shore Blvd, South on Hillaire				
Description of Work or Special Instructions	3 pair drop ; Driveway bore				

Held Order	N	Permit:	y	Bore:	y	CBR#	6512481552
Tech Name and Tech #	Daniel Cobenais #628			Employee Contact#	6125006766		

Sketch <small>(Include Cntr Line & Pedestal)</small>	Material/Labor Units		Footage/Quantity	Comments
	Description	Notes		
Cntr Line foot	SEB3-22	BSW-3 & plow plcmt	300	
	SEB3-22T	BSW-3 & hand dig plcmt		
Ped#	SEPCUTOVER	CUTOVER BSW		
Parish/County	BM83	BSW guard at house		
	XXSEB-GL	Remove temp drop	1	Footage when temp can't be re-used
Township:	BM61(1.25)SEB	BSW Bore footage	30	
Section	SEBO PER FT LBR	Fiber & plow plcmt		
Range	SEBO PER FT LBR T	Fiber & hand dig plcmt		
	SEB6-22	BSW-6 & plow plcmt		
	BM2(5/8){8}	Ground Rod		
	Trip Charge	Trip Charge		
	Permit	Permit	1	Any placement within the ROW requires a permit
Nearest cross st.	Arbor Dr		Plat Page	Map#



Originated By:	Daniel Cobenais	Date:	7/15/19	Completed By:		Date:	
Authorized By: (APS)	Burth, Brian	Date:		Inspected By:		Date:	
Authorized By: (AOM)	Fry, Chris	Date:					
Email sketch to:	MetroBSW@Centurylink.com						

1. Distance of the bury in Right-of-Way	3. Distance to the nearest intersection	
2. Distance from the terminal to the centerline	4. Nearest State Hwy mile marker	



**Town Board Meeting
October 7, 2019**

Agenda Number: 6 – Old Business

Subject: Water Meter Replacement Project - Update

**Documentation: Settlement Agreement & Mutual Release /
Water Bill with Proposed Compliance Fee Wording**

Action / Motion for Consideration:

Report at Meeting / Discuss

**Minutes
Executive Meeting
September 27, 2019**

WATER METER – UPDATE: The Public Works Director reported that water meters have been installed in 45% of the residents' homes. He noted a number of issues are regarding valves inside the home and that residents with this issue will have to have water turned off at the curb stop or have it frozen. It was noted that these occurrences are documented and being remedied. The next water meter reading will be done on Monday, the 30th of September, and staff will get a good feel for the efficiency in the new readers.

SETTLEMENT AGREEMENT AND MUTUAL RELEASE

This Settlement Agreement ("Agreement") is made and entered into on this ____ day of March, 2019, by and between the Town of White Bear ("Town"), Core & Main LP f/k/a HD Supply Waterworks Ltd. ("Core & Main"), and Sensus USA Inc. ("Sensus"). (The Town, Core & Main and Sensus are collectively referred to as the "Parties".)

RECITALS

WHEREAS, Core & Main did sell to the Town water meters used for the purpose of monitoring residential and commercial water use.

WHEREAS, said meters were manufactured by Sensus.

WHEREAS, certain claims have been made by the Town regarding the alleged defectiveness of the meters manufactured by Sensus and supplied by Core & Main to the Town and Sensus and Core & Main have denied such claims (the "Disputed Claims").

WHEREAS, the Town, Sensus and Core & Main have agreed to settle the Disputed Claims between them.

WHEREAS, The Parties have negotiated arm's length in good faith, and have voluntarily agreed to a complete settlement as set forth in this Agreement.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and exhibits contained and referenced herein, the Parties hereto, on behalf of themselves, their successors and assigns, agree as follows:

1. **Recitals.** The recitals are incorporated herein by reference.
2. **Provision and Installation of Water Meters.** Sensus shall provide to Core & Main the water meters and ancillary equipment as described as described on Schedule A attached hereto. Core & Main shall provide and install to the Town the water meters and ancillary equipment as described on Schedule A attached hereto. The number of residential water meters that shall be supplied and installed are 4,350; and the number of commercial water meters that shall be supplied and installed are 132. The price which the Town shall pay for each iPERL ¾"S, 3 terminal screw residential water meter is \$145.00; and the price which the Town shall pay for each for iPERL ¾"L, 3 terminal screw residential water meter is \$175.00; and the price which the Town shall pay for each iPERL 1", 3 terminal screw commercial water meter is \$205.00. It is hereby understood by the parties that this price shall include the installation of the new water meters as well as the tagging and returning to the Town the existing water meter being replaced. For the purpose of this Agreement, the term "water meter" shall mean and refer to the equipment described on Schedule A attached hereto.

3. **Installation.** Core & Main shall complete installation of all water meters no later than October 15, 2019. The Town shall assist Core & Main in contacting all residential and commercial water users who are served by the Town's water system as of the date of this Agreement and shall ensure that Core & Main and its subcontractor are allowed access to the existing meters Core & Main shall attempt to contact residential and commercial water users who are served by the Town's water system twice via mail, door tag or telephone regarding installation of the water meters prior to said installation. Upon installation of the water meters, the Town reserves the right to inspect said installations and approve those installations. If installations are found to be defective, then Core & Main agrees to return, at no cost to the Town, and correct any claimed defects. It is hereby understood by the parties that the present water meters are the property of the Town. As Core & Main removes the old meters it shall attach a tag to each meter identifying the address from which the meter was removed. The Town and Core & Main shall make arrangements for transferring the old meters to Town control.
4. **Indemnification.** Core & Main agrees to indemnify, defend, and hold harmless Town and each of its officers, agents, employees, and insurers from and against any liability, claims, including third party claims, damages, costs, judgments, or expenses, including reasonable attorney's fees, occasioned by or arising out of: (i) Core & Main's breach of its performance under the terms Agreement; and (ii) Core & Main's breach of this Agreement.
5. **Warranties.** Attached hereto as Schedule B are the warranties which shall apply to all water meters installed pursuant to this Agreement.
6. **Mutual Release.** Each party, on behalf of itself, its predecessors, successors, direct and indirect parent companies, direct and indirect subsidiary companies, companies under common control with any of the foregoing, affiliates and assigns, and its past, present and future officers, directors, shareholders, interest holders, members, partners, attorneys, agents, employees, managers, representatives, assigns, and successors in interest, and all persons acting by, through, under, or in concert with them, and each of them, hereby release and discharge the other parties, together with their predecessors, successors, direct and indirect parent companies, direct and indirect subsidiary companies, companies under common control with any of the foregoing, affiliates and assigns and their past, present and future officers, directors, shareholders, interest holders, members, partners, attorneys, agents, employees, managers, representatives, assigns, and successors in interest, and all persons acting by, through, under or in concert with them, and each of them, from all known and unknown charges, complaints, claims, grievances, liabilities, obligations, promises, agreements, controversies, damages, actions, causes of actions, suits, rights, demands, costs, losses, debts, penalties, fees, wages, medical costs, pain and suffering, mental anguish, emotional distress, expenses (including attorneys' fees and costs actually incurred) and punitive damages, of any nature whatsoever, known or unknown, which either party has, or may have had, against the other party, whether or not apparent or yet to be discovered, or which may hereafter develop, for any acts or omissions related to or arising from the Disputed Claims. This Agreement resolves any claim for relief that is, or could have been alleged, no matter how characterized, including, without limitation,

compensatory damages, damages for breach of contract, bad faith damages, reliance damages, liquidated damages, damages for humiliation and embarrassment, punitive damages, costs, and attorneys' fees related to or arising from the Released Matter.

7. **Non-Admission of Liability.** Nothing in this Agreement shall constitute an admission of fault or responsibility by either Core & Main or Sensus. This settlement is made in compromise of disputed claims. The Parties are settling their disputes to avoid the time, uncertainty, and expense of litigation and to simply buy peace with each other.
8. **Confidentiality.** The Parties agree to keep the terms and conditions of this settlement confidential, and agree that they shall disclose such terms only to their own insurers, regulatory authorities, legal counsel, tax consultants or pursuant to a validly-issued subpoena from a court of competent jurisdiction. It is hereby understood by Core & Main and Sensus that approval of this Settlement Agreement will occur at a regular open meeting of the Town Board. Any disclosure that occurs at such meeting shall be a permitted disclosure. In addition, the Town is subject to a data practices request. In the event a legal and enforceable data practices request is delivered to the Town, the Town shall have the right to honor said request.
9. **Non-Disparagement.** The parties shall refrain from disparaging each other, or any other officers, owners, agents or principals of each other. If asked about resolution of the dispute, each shall simply state that the matter has been resolved to their mutual satisfaction. Additionally, the parties shall not make any reference to, or make any complaint about, the non-disclosure claims or the conditions of the home, including home construction defect claims.
10. **Entire Agreement.** This Agreement constitutes the entire Agreement of the parties to the subject matter contained herein. The undersigned acknowledges that there are no communications or oral understandings contrary, or that in any way restrict this Agreement, and that all prior agreements or understandings within the scope of the subject matter of this Agreement are, upon the execution and delivery of this Agreement, superseded, null and void.
11. **Interpretation.** This Agreement has been reached through negotiations between the Parties. Neither Party shall assert that this Agreement is construed against the "drafter" of the same. The Parties have used their own judgment in agreeing to this Agreement.
12. **Choice of Law.** This Agreement and all related documents, and all matters arising out of or relating to this Agreement, whether sounding in contract, tort, or statute, are governed by, and construed in accordance with, the laws of the State of Minnesota without giving effect to the conflict of law provisions thereof to the extent such principles or rules would require or permit the application of the laws of any jurisdiction other than those of the State of Minnesota.
13. **Execution by Facsimile Signatures and in Counterparts.** The Parties agree that facsimile signatures or signatures delivered by any other electronic means shall have the

same force and effect as original signatures. This Agreement may be executed in one or more counterparts, each counterpart to be considered an original portion of this Agreement.

14. **Execution by Town.** It is hereby understood by Core & Main and Sensus that this Agreement must be approved by the Town Board at a regular meeting thereof. As to the Town, this Agreement shall not be effective until approved at a regularly scheduled and noticed meeting of the Town Board.

IN WITNESS WHEREOF, the Parties have hereunto set their hands the day and year first written above.

TOWN OF WHITE BEAR

By: Ed Pouch
Its: TOWN Board Chair

CORE & MAIN LP

By: Thomas C. Capi
Its: Authorized Representative

SENSUS USA INC.

By: Tim H. Harnigan
Its: VP Sales NA Water

Schedule A



Customer: White Bear Township
Location: White Bear Township, MN
Date: 10/17/2018

Corey Luft
612-270-3148
corey.luft@coreandmain.com

Qty			
	iPERL Meters with installation		
4200	iPERL 3/4"S, 3 Terminal Screws	\$ 145.00	\$ 609,000.00
150	iPERL 3/4"L, 3 Terminal Screws	\$ 175.00	\$ 26,250.00
132	iPERL 1", 3 Terminal Screws	\$ 205.00	\$ 27,060.00
			<u>\$ 662,310.00</u>
	Optional 510R to 510M SmartPoints with installation		
482	510M SmartPoint Single Port 3 Wire	\$ 125.00	\$ 60,250.00
1	510M SmartPoint Dual Port 3 Wire	\$ 145.00	
1100	510M SmartPoint Single Port Touch Couple	\$ 125.00	\$ 137,500.00
1	510M SmartPoint Dual Port Touch Couple	\$ 145.00	
			<u>\$ 197,750.00</u>
<hr/> Total <hr/>			<hr/> <hr/>



WHITE BEAR TOWNSHIP UTILITIES

1281 Hammond Road
White Bear Township, MN 55110

FORWARDING SERVICE REQUESTED



T1 P1*****AUTO**5-DIGIT 55110

WHITE BEAR LK, MN 55110-2465

PRESORTED
First-Class Mail
US POSTAGE
PAID
Permit No. 3107
Twin Cities, MN

NAME



SERVICE FROM 3/31/2019 SERVICE TO 6/30/2019

SERVICE ADDRESS



ACCOUNT NO.



BILL DATE 7/5/2019 DUE DATE 8/10/2019

BEGINNING BALANCE

Previous Balance	130.12
Adjustments	0.00
Payments as of 7/5/2019	-130.12
BALANCE FORWARD	0.00

SCHEDULE YOUR APPOINTMENT TODAY 1 (833) 626-3326!
White Bear Township's Water Meter Upgrade Project will be completed in **October 2019**.
Failure to schedule your appointment will result in a **non-compliance fee of \$300** which will be added to your utility bill each quarter until your meter is upgraded. (Town Ordinance No. 12)

DESCRIPTION	FEE	-- CURRENT READING --	-- PREVIOUS READING --	USAGE
RES WATER	28.40	6/30/2019 383933	3/31/2019 371846	12087
RES METER FEE	21.25			
RES STATE FEE	1.59			
RES SEWER	72.60			
RES STORMWTR	21.00			

URGENT MESSAGE ABOVE IN BLUE

TAX	\$0.00
CURRENT BILL	\$144.84
AMOUNT DUE	\$144.84
AMOUNT DUE AFTER 8/10/2019	\$144.84

PAYMENT COUPON

Contact Us: © 2019 ecoEnvelopes



Online www.whitebeartownship.org



Phone 651-747-2754

AMOUNT DUE	\$144.84
AMOUNT PAID	<input type="text"/>
AMOUNT DUE AFTER 8/10/2019	\$144.84



WHITE BEAR TOWNSHIP UTILITIES
1281 HAMMOND ROAD
WHITE BEAR TP MN 55110-5866

Please pay by: **Aug 10** Total Due: \$144.84

Please make checks payable to: WHITE BEAR TOWNSHIP
CUSTOMER NAME
ACCOUNT NO.
SERVICE ADDRESS





Town Board Meeting October 7, 2019

Agenda Number: 7.A – Public Hearing

Subject: Christopher & Stephanie Ward, 1548 Hennessy Vista – Request for 22' Right-of-Way Setback Variance to Allow a 10' x 12' Shed (After-the-Fact)

Documentation: Public Notice / Resident Letter / Mailing List / Map / Affidavit of Publication

Action / Motion for Consideration:

Report at Meeting / Discuss

Based on Variance Board, Planning Commission & Staff Review & Recommendation Approve the Request for a 22' Right-of-Way Setback Variance to Allow a 10' x 12' Shed (After-the-Fact) at 1548 Hennessy Vista

Minutes
Planning Commission Meeting
August 22, 2019

CHRISTOPHER & STEPHANIE WARD, 1548 HENNESSY VISTA – REQUEST FOR 22' RIGHT-OF-WAY SETBACK VARIANCE TO ALLOW A 10' X 12' SHED (AFTER-THE-FACT): The Town Planner summarized the request to allow a shed which was already placed 13' feet from the Otter Lake Road right-of-way. For which, a 35' setback is required.

It was noted that the shed was placed in the location to fit the yard layout, and it's a limited structure, which means it can be moved. There was discussion on the differences in right-of-way for corner lots and other lots. There was discussion of adding a (7) 1.2 I amendment to the zoning ordinance, included in the packet, which would only apply to corner lots.

Denn noted that given the pictures of the property with water on the land, the only place to move the shed would be to the other side of the yard, but that may be objectionable to the neighbors. From the photos, the shed seemed to fit well where it had been placed. It was noted that this was an "extraordinary" situations.

The Variance Board addressed this agenda item on August 15th, and 2 out of 3 members showed support. But after reviewing the hardships of the property – 2 fronts (since it’s a corner lot) and the drainage impacting the “usable area” of the lot – the Commission was in support of the request.

Kotilinek motioned to Approve the Variance Board Recommendation of the Variance as requested. Artner seconded. Ayes all.

Minutes
Variance Board Meeting
August 15, 2019

CHRISTOPHER & STEPHANIE WARD, 1548 Hennessey Vista – Request for a 22’ Right-of-Way Setback Variance to Allow a 10’ x 12’ Shed After-the-Fact: Riedesel summarized the request to allow a shed which was placed 13’ from the Otter Lake Road right-of-way. A 35’ setback is required.

The shed was placed in the location to fit the yard layout. Mr. Ward had counted on the contractor to file for a building permit. No permit was applied for and the shed was placed in the current location.

Mr. Ward noted that there is a small area next to the deck which the shed could be relocated to but aesthetically it is not preferred. He also noted and showed photos of water in the rear yard which flows towards Otter Lake Road. He does not want to locate the shed in the drainage routes.

The shed is screened fairly well from Otter Lake Road by a new board on board fence.

Denn stated he could support approval of the variance as requested due to the practical difficulty related to drainage on the property which could negatively impact the neighborhood if the shed were relocated within the drainage way.

Christopherson seconded the request for discussion.

Johnson noted that he agrees with the drainage concerns but does not support the variance as requested. He has denied building permits for similar requests. He prefers that the Town consider an amendment to the Zoning Ordinance which would make the location of this shed “legal”. He noted that the Ordinance was amended several years ago which allowed 6’ high fences from corner lots to be located along a right-of-way of Otter Lake Road.

The motion to approve the variance was supported by Denn and Christopherson. Johnson voted nay on the motion.



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

NOTICE IS HEREBY GIVEN, That the Town Board of the Town of White Bear, Ramsey County, Minnesota, will meet at Heritage Hall, 4200 Otter Lake Road, in said Town on Monday, October 7, 2019 @ 7:00 p.m. to consider the following variance request:

- 22' Right-of-Way Setback Variance

to allow construction of a 10' x 12' shed (after-the-fact) on the following described property lying and being in the Town of White Bear, Ramsey County, Minnesota

Tract B, Registered Land Survey 434

(1548 Hennessy Vista)

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 4th day of September, 2019.

BY ORDER OF THE TOWN BOARD OF SUPERVISORS

PATRICK CHRISTOPHERSON, Clerk-Treasurer



**WHITE BEAR
TOWNSHIP**

1858
RAMSEY COUNTY
MINNESOTA

1281 HAMMOND ROAD
WHITE BEAR TOWNSHIP, MN 55110

651-747-2750

FAX 651-426-2258

Email: wbt@whitebeartownship.org

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

September 25, 2019

Township Resident
White Bear Township, Minnesota 55110

Re: Variance Request

Dear Resident:

Enclosed please find a **Notice of Hearing Request for a Variance from Ordinance No. 35 (Zoning) of the Town of White Bear, Ramsey County, Minnesota.**

The owner of property at 1548 Hennessy Vista is requesting approval of a 22' right-of-way setback variance to allow construction of a 10' x 12' shed (after-the-fact).

The Public Hearing on the matter is scheduled for **Monday, October 7, 2019 @ 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 email at tom.riedesel@whitebeartownship.org.

Sincerely,

Patti Walstad
Paralegal

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

Parcel ID: 103022430069

ECLIPSE INVESTMENTS LLC
1444 NORTHLAND DR STE 200
MENDOTA HEIGHTS MN 55120-1032

Parcel ID: 103022430065

DANIEL J BONA, MARGARET D BONA
1568 HENNESSY VISTA
WHITE BEAR TOWN MN 55110-5881

Parcel ID: 103022430055

TODD M SPRECK
5106 OTTER LAKE RD
WHITE BEAR LAKE MN 55110-5802

Parcel ID: 103022430085

VINCENT J CARRIGAN, LINDA A CARRIGAN
1558 HENNESSY VISTA
WHITE BEAR LAKE MN 55110-5881

Parcel ID: 103022430054

CHRISTOPHER R HARMS, COLLEEN R HARMS
1566 SENECA TRL
WHITE BEAR TOWNSHIP MN 55110-5882

Parcel ID: 103022330003

RAMSEY COUNTY PARKS AND REC
2015 VAN DYKE ST N
SAINT PAUL MN 55109-3711

Parcel ID: 103022430071

ROBERT E MOEHRLE TRUSTEE, MARY J MOEHRLE TRUSTEE
1597 HAMMOND RD
WHITE BEAR LAKE MN 55110-5861

RESIDENT
1555 HAMMOND RD
WBT 55110

Parcel ID: 103022430058

MARK D JENSEN, ANNMARIE I JENSEN
1567 HENNESSY VISTA
WHITE BEAR TOWN MN 55110-5881

Parcel ID: 103022430056

DANIEL C CARLSON, LAURA A CARLSON
5094 OTTER LAKE RD
WHITE BEAR TOWN MN 55110-5802

Parcel ID: 103022430057

TODD R NENN, PATRICIA A NENN
5084 OTTER LAKE RD
ST PAUL MN 55110-5802

Parcel ID: 103022430084

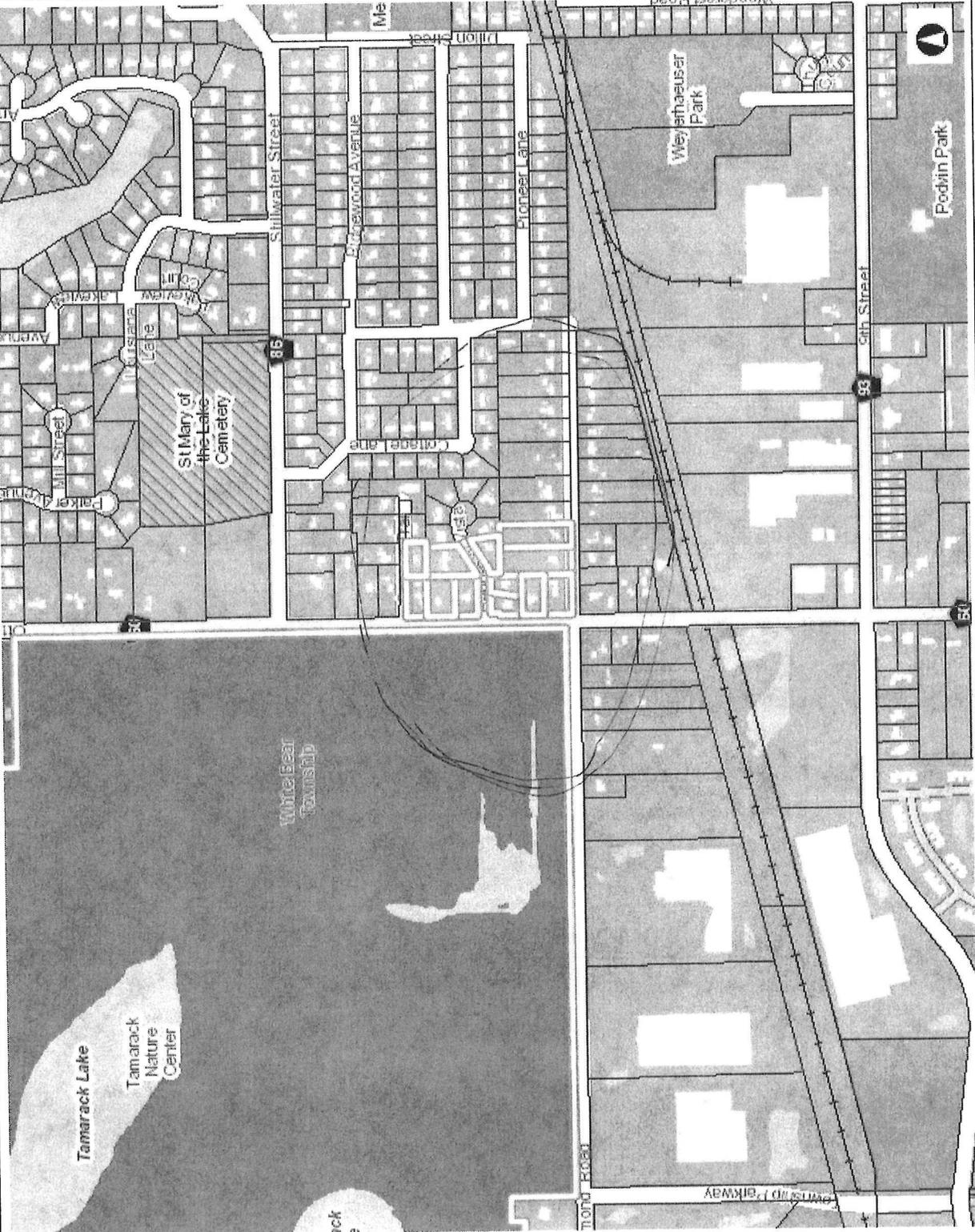
STEPHANIE E WARD, CHRISTOPHER J WARD
1548 HENNESSY VIS
WHITE BEAR LAKE MN 55110-5885

Parcel ID: 103022430070

THEODORE C LARSON, KRISTEN M HAGEN
1563 HAMMOND RD
WHITE BEAR LAKE MN 55110-5861

Parcel ID: 103022430068

NATHAN DIETERICH
5064 OTTER LAKE RD
SAINT PAUL MN 55110-5829

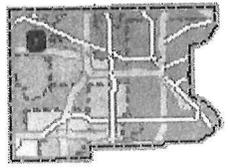


1,333.3 666.67 1,333.3 Feet

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 VADNAIS HEIGHTS 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 25th day of September, 2019.

- 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 \$ 17.37/inch

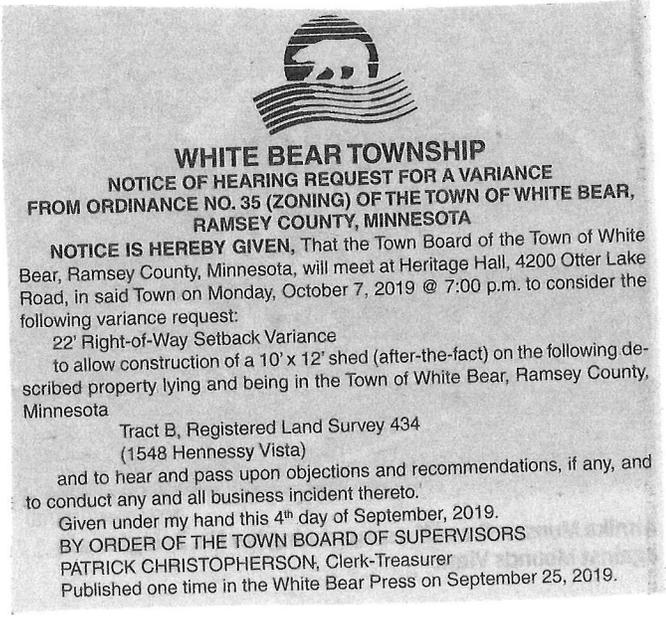
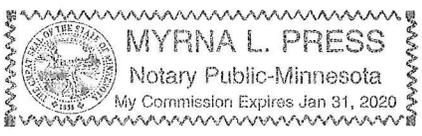
- 5. Mortgage Foreclosure Notices. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in Ramsey County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the 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: [Signature]
TITLE: Carter Johnson, Publisher
PRESS PUBLICATIONS
4779 Bloom Avenue
White Bear Lake, MN 55110

Subscribed and sworn to before me on this 25th day of September, 2019.

[Signature]
Notary Public





Town Board Meeting October 7, 2019

Agenda Number: 7.B – Public Hearing

Subject: SMC, 5800 & 5858 Centerville Road – Continuation of Hearing Request for:

- 1) Wetland Permit to Allow Filling & Mitigation
- 2) Minor Subdivision
- 3) Permitted Use Standards Permit

to Allow Construction of Two Additional Manufacturing/Office Buildings & an Addition to Building at 5800 Centerville Road

Documentation: Staff Memo w/attachments / SEH Correspondence / TKDA Correspondence / Public Notice / Proof of Publication / Resident Letter / Mailing List / Wetland Permit / Proposed Permitted Use Standards Permit

Action / Motion for Consideration:

Report at Meeting / Discuss

- 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 & Staff Review & Recommendation:

- 1) Approve the Wetland Permit to Allow Filling & Mitigation & in Accordance with Ordinance No. 35, Section 9-9.3(a).(2) Continue the Public Hearing Six Months to Monday, April 6, 2020 @ 7:00 at Heritage Hall Noting that the Wetland May not be Established so a Continuation may be Necessary
- 2) Approve the Minor Subdivision

3) Approve the Permitted Use Standards Permit with Attached Requirements as Submitted

Minutes
Planning Commission Meeting
October 2, 2019

SMC CORPORATION, 5858 CENTERVILLE ROAD – REQUEST FOR VARIANCE FROM SECTION 5-2.10 OF ORDINANCE NO. 87 TO ALLOW A REPLACEMENT WETLAND TO BE CONSTRUCTED UP TO A RETAINING WALL/ACCESS ROAD: The Town Planner summarized the previous meetings with SMC regarding the minor subdivision, wetland permit, zoning ordinance amendment, and permitted use standards permit. After further review of the proposal, the Planning Commission needs to consider a variance from Section 5-2.10 of Ordinance No. 87, which states that there needs to be a 20 foot buffer strip required from a wetland. If there is a slope, the setback increases 4 feet for every 1 foot grade. SMC is proposing fill and replacement of wetlands on site. In addition, upland buffers are being provided as is the purchase of banking credits within the Watershed District in order to meet Town and Watershed requirements. No buffer is planned between a new wetland and the access drive and retaining wall. If the buffer is required, more banking credits must be purchased as there is limited space to construct wetland.

It was noted that staff would prefer the wetland to be constructed on site, therefore there was discussion on the variance. It was noted that VLAWMO and the Army Corp of Engineers approved the plan. It was also noted that the Variance Board recommended approval of the Section 5-2.10 of Ordinance No. 87. There was discussion of the wetland and the wetland buffer.

Blin moved to approve the variance from section 5-2.10 of Ordinance No. 87, due to the preference to have wetlands on site, benefit of the wildlife corridor, and compliance with VLAWMO. Kotilinek seconded. Ayes all.

Minutes
Variance Board Meeting
September 23, 2019

SMC CORPORATION, 5858 Centerville Road – Request for a Variance from Section 5-2.10 of Ordinance No. 87: Riedesel summarized the request from SMC to construct a new light industrial building and master plan their entire site for future development. The Planning Commission has reviewed the proposal and recommended approval of a subdivision, Wetland Permit and Permitted Use Standards Permit. Additional staff review of the plans found that Section 5-2.10 of Ordinance No. 87, which requires minimum wetland setback buffers is not being met.

Ordinance No. 87 requires a 20' buffer around all wetlands, Greater if a slope exceeds 4:1.

An access roadway is proposed with a retaining wall adjacent to a wetland. The wetland is being created to compensate for wetland on the property which is proposed to be filled.

If the wetland buffer is required per Ordinance No. 87, new wetland would have to be located elsewhere on the site. New wetland replacement in the amount of 115,220 square feet is proposed to be created on site. In addition, wetland buffer areas are proposed as well as purchasing of wetland credits. The wetland credits being purchased are located outside of White Bear Township. If the buffer is required of the applicants, approximately 12,000 square feet of wetland would be eliminated in favor of a buffer. Additional wetland credits must be purchased to meet wetland replacement requirements.

The Variance Board reviewed the request to vary from Ordinance No. 87 and the consensus is that creating wetland on site is preferred to purchasing wetland credits off-site. It was also noted that the

buffer setback requirements defined by Ordinance No. 87 are not consistent with requirements of VLAWMO, and the Rice Creek Watershed District.

The Variance Board supported the SMC plan as proposed and Denn moved to approve the variance from Ordinance No. 87. Johnson seconded. Ayes all.

Minutes
Town Board Meeting
September 16, 2019

SMC, 5800 & 5858 CENTERVILLE ROAD – REQUEST FOR: 1) WETLAND PERMIT TO ALLOW FILLING & MITIGATION; 2) MINOR SUBDIVISION; 3) PERMITTED USE STANDARDS PERMIT TO ALLOW CONSTRUCTION OF TWO ADDITIONAL MANUFACTURING/OFFICE BUILDINGS & AN ADDITION TO BUILDING AT 5800 CENTERVILLE ROAD: Ruzek motioned to note proper publication of the hearing notice in newspaper & waive reading of notice. McCune seconded. Ayes all. Ruzek motioned to open the public hearing. McCune seconded. Ayes all.

The Town Planner introduced SMC and the current proposal of adding two additional buildings and adding on to a current building. The Minor Subdivision request would change the property from an “outlot” to “Lot 1, Block 1, SMC Second Addition”. The Wetland Permit would be needed to fill and mitigate wetland on the property. The previous regulation used to delineate wetland 1:1, but currently is 1:0.75 per square foot, so SMC will actually be creating more wetland, filling 63,228 square feet, adding 115,220. This is shown in the shaded areas of the map. SMC will also use a few wetland buffers to achieve the 2-1 ratio. The Permitted Use Standards Permit and a Zoning Ordinance amendment are also requested.

Because an empty adjacent back lot requires increased setback for driveways and back lots, the Planning Commission did not approve of the amendment due to the back lot remaining vacant, it is not residentially used or zoned. If there was an industrial building in that back lot the setback would be 15 feet for the drive lane, whereas if there was a residential property the setback would be 20 feet.

The proposals come with full landscape and engineering plans. The landscape plan does meet the requirements; parking requirements based on sizes of buildings are being met. There was discussion of the private road in SMC, and it will remain private, never to become a public road. There was discussion of grading.

The Town Engineer stated the components design wise, storm pipes, drainage, Hydrology, and buffer requirements that aren't being met to the Town's standards. VLAWMO has accepted the proposal, the Army Core of Engineers are reviewing the proposal, SEH is reviewing the proposal. There was discussion in timing; Riedesel stated that the smaller details will be ironed out in the next few weeks.

Ruzek motioned to open the public comment portion – ask for comments. McCune seconded. Ayes all.

Clark Wicklund from Alliant Engineering was present to address some of the Town Engineer's concerns. He has been on the project since the beginning in 2007. Wicklund discussed the buffer of the wetland, stating that VLAWMO approved, and discussed this subject at length with the Army Core of Engineers, DNR, and BOWSR. The reason for it is because they can't mow so closely to the created wetland. He noted that the Army Core individual permit will be issued this month. It was also noted that this overall project is now seeing “as much as twice as many” wetlands because of the ditch that was filled by the neighbors in the 90's to construct their dirt bike trail, however, SMC hasn't requested exemption or asked for any other party to take care of the issue.

In regards to the TKDA analysis, the buffer was discussed with the Town Planner as were all of the items on the TKDA list with the Township. It was noted that the water quality will be very high due to the practical difficulty to get the water off of the site, accepted by VLAWMO.

Neighbor Ray Siebenaler, who owns the abutting 10 acres, stated that the Planning Commission approved the proposal predicated on the retaining wall near the corner of their property. It was noted that they aren't getting water now, but that they don't want to get water. Siebenaler stated that the 100 years storm is 6.6" of rainfall within 24 hours, while he said nearly happened a couple times this year. The engineers from Alliant showed Siebenaler the current plans that do have a small retaining wall. It was the consensus that SMC staff and Alliant Engineers will meet with the neighbors to ensure their comfort moving forward.

There was discussion about Storm Water Management Ordinance number 87, and that there needs to be clarification on what this buffer, retaining wall, is and how it will impact the wetlands. Tony Kaster, a wetland scientist with Alliant Engineering stated that the reason behind the motivation for the retaining walls around the mitigated wetland is to minimize impacts. VLAWMO and the Corp of Army Engineers accepted that proposal. He showed on the map that green is mitigated wetland, they've designed it to be a wet meadow saturated to the surface with grasses, sedges, wild flowers, etc. The blue areas have 6 inches of standing water. The goal, Kaster said, is to replace the impacted wetlands with the same type of wetlands, though it doesn't have to be all cattails and running wild, like when one thinks of wetlands. These mitigated wetlands will have sandy soils so the water levels will stay around 6 inches in those areas, and just on the surface in the other areas. The Board appreciated the clarification, as they want to ensure public safety.

Ruzek motioned to Close Public Portion of Hearing. McCune seconded. Ayes all. Ruzek made a motion to continue the public hearing until the Town Board meeting of October 7th to discuss the projects of SMC, 5800 & 5858 Centerville Road. McCune seconded. Ayes all.

Minutes
Special Planning Commission Meeting
August 26, 2019

SMC CORPORATION, 5858 CENTERVILLE ROAD – REQUEST FOR MINOR SUBDIVISION, WETLAND PERMIT, ZONING ORDINANCE AMENDMENT & PERMITTED USE STANDARDS PERMIT TO ALLOW CONSTRUCTION OF A 121,728 SQUARE FOOT BUILDING: The Town Planner gave a brief summary of the SMC proposal outlined in the Thursday, August 22nd Planning Commission Meeting. The Commission reviewed the property before this meeting or earlier in the week to better understand the concept behind each request and learn more background information. Some of the background information discussed on site includes 90,000 square feet of wetlands that need to be created on site; how the regulation used to be 1:1 but now is 1:0.75, which is more environmentally proactive; the setback from the residential property in the commercial light industrial area.

The 4 permits were discussed briefly and a motion was stated for each.

Loes motioned to Approve the Minor Subdivision. Artner seconded. Ayes all.

Flann motioned to Approve the Wetland Permit contingent upon the development of the wetlands on site and all of the engineering that was discussed. Artner seconded. Ayes all.

There was discussion of the proposed property as submitted and how it abuts a residential property in the light industrial zone, however; the property there was consensus that a Zoning Ordinance Amendment would not be necessary for the proposal since the portion of the property abutting the proposed SMC building is vacant except for wetland and a BMX track.

Swisher motioned to make a recommendation to the Town Board that the Planning Commission considered the Zoning Ordinance Amendment and felt it does not apply to the current standards as submitted. Artner seconded. Ayes all.

There was discussion of the Zoning Ordinance Section 9-3.4(c) stating that the owners and engineers have in fact confirmed that there is no other feasible alternative than to cut trees down and take out some wetland. The Engineers with Alliant Engineering, Mark Kronbeck and Tony Kaster confirmed that they looked at 5 other options, but stated the proposed option is the best scenario. There was discussion of the wetland and the ways in which SMC will add to the environmental life on Centerville with pollinator plants and a corridor for wildlife.

Artner motioned to Approve the Permitted Use Standards Permit contingent upon compliance with the recommendations of the Engineers, Staff, and the Fire Inspector. Swisher seconded. Ayes all.

The Public Hearing on this agenda item is scheduled for the September 16th Town Board Meeting.

Minutes
Planning Commission Meeting
August 22, 2019

SMC CORPORATION, 5858 CENTERVILLE ROAD – REQUEST FOR MINOR SUBDIVISION, WETLAND PERMIT, ZONING ORDINANCE AMENDMENT & PERMITTED USE STANDARDS PERMIT TO ALLOW CONSTRUCTION OF A 121,728 SQUARE FOOT BUILDING: The Town Planner summarized the 4 requests made by the Specialty Manufacturing Corporation and gave a brief history of the company. The first building was constructed in 1990, second building constructed in 2006. A road goes through the compound and was originally built to public standards with the goal of making it a public access road. However, plans have changed and SMC now wants to keep that road private, while maintaining it privately as well.

Looking at the long term, SMC is looking to add two new buildings and adding onto the rear of the southerly building. Currently they are proposing a 121,728 square foot building. SMC plans to use both buildings, and though it is not a landlord-type company, they plan on renting some of the space out to another company. SMC houses and has bought 7 different companies that specialize in manufacturing. One reason why SMC needs the space is because of the machines used have regulations. SMC also sells Panasonic pumps, spa vacs, and water levels for consumer pools and hot tubs.

Kent Brunner, SMC, engineers from Alliant Engineering, Tony Kaster and Mark Kronbeck, and Jack Grotkin from RJ Ryan Construction were present to discuss SMC's needs. With the proposed construction, SMC will be eliminating some 63,000 square feet of wetland, shown as shadowed areas in the detailed plans drawn up by the engineers on contract, Alliant Engineering. As the Town Ordinance requires, SMC will be creating new wetlands to compensate for filling of existing wetland. There was discussion of the wetlands, the pine trees, buckthorn which will be removed but replaced by new landscaping.

There was discussion on zoning and why the permit is needed. There was discussion on the residential property right next to the industrial property, whether or not all parts of the property are considered residentially zoned or used.

The use designation will impact the setback of the new service road and building. If the rear portion of the abutting lot is deemed in "residential use", greater setbacks apply. If the vacated rear of the property which is zoned I-1 is deemed "vacant", increased setback requirements do not apply.

There was discussion regarding the Permitted Use Standards Permit. There was discussion on all aspects of the landscaping that is planned, the number of trees, planned and designed use, etc. It was noted that SMC will be planting more than 200 trees to replace the removed trees. The Commission went through each item in the standards listed on pages 31 and 32 in the packet. There was discussion on the grading that seemed like it may impact the neighbors abutting the property, and included some grading on the Siebenaler property. It was stated by the applicants that this part of the site grading will change so stormwater does not overflow onto the Siebenaler property. The neighbors, Karen and Ray Siebenaler were present to ask questions and discuss these decisions regarding SMC. Drainage was a big topic that was discussed, and after some explanation on both ends, the Siebenaler's and SMC seemed to reach consensus.

There was continuing discussion on the ways SMC will fulfill the Ordinance regarding Surface water and Stormwater in regards to drainage. Filtration ponds were discussed. It was noted that a retaining wall will be added abutting the Siebenaler property, which they seemed content with at the meeting.

Artner mentioned that she would like to view the site to get a handle on all that is requested and needed. In order to do this, a Special Meeting for the Planning Commission to meet at SMC will need to be arranged.

Artner made the motion for a Special Meeting to take place on Monday, August 26th, 2019 at 6:00 p.m. at SMC property, 5858 Centerville Rd, and reconvening at the Town Offices, 1281 Hammond Rd, at 7:00 p.m. to take action on this agenda item. Flann seconded. Ayes: Loes, Blin, Swisher, Flann, Artner; Nays: Denn, Kotilinek.

As Kotilinek has a prior engagement on Monday, August 26th, he has been excused.

MEMORANDUM

TO: PLANNING COMMISSION
FROM: TOM RIEDESEL
DATE: AUGUST 15, 2019

SUBJECT: CONSTRUCTION OF TWO ADDITIONAL MANUFACTURING/OFFICE BUILDINGS & AN ADDITION TO BUILDING AT 5800 CENTERVILLE ROAD

REQUESTS: MINOR SUBDIVISION
WETLAND PERMIT
ZONING ORDINANCE AMENDMENT
PERMITTED USE STANDARDS PERMIT

LOCATION: 5800 & 5858 CENTERVILLE ROAD & A FUTURE ADDRESS ON CENTERVILLE ROAD

APPLICANTS: SPECIALTY MANUFACTURING CORPORATION

ZONING: I-1, LIGHT INDUSTRIAL

SMC is proposing to add two new buildings and an addition to their Centerville Road campus. Currently SMC has two manufacturing buildings fronting on Centerville Road. SMC owns the property between these buildings & I-35E. This outlot (A) is 19.1 acres in size. A new building 121,728 square feet in area is proposed to be constructed this year.

A 30,000 square foot building pad and a 12,600 square feet addition onto the rear of the southerly building is planned at a later date(s). The new building also plans parking, stormwater treatment ponds, wetland fill and mitigation and an extension of the road which accesses Centerville Road.

Minor Subdivision:

The area which the new buildings are proposed are located on Outlot A, Specialty Manufacturing Addition. SMC would like to change the legal description of this lot from Outlot A to Lot 1, Block 1, Specialty Manufacturing 2nd Addition. This lot will also include the access road to Centerville Road.

Originally this access road was planned to be a public road which was to be extended southerly accessing the North Oaks Company property and the property between North Oaks Company and SMC. The road was built to Town street standards and reduced street setbacks were adopted to accommodate the parking lots.

SMC no longer has it in their development plan to extend the road through the North Oaks Company property.

Wetland Permit:

The entire property has a total of 159,766 square feet of wetlands. There are several small wetlands and one larger wetland on the property. SMC is proposing to impact 7 of these wetlands. A total of 63,228 square foot office is proposed. SMC would mitigate this fill by expanding an existing wetland; creating a new wetland and providing stormwater treatment basins and upland buffer areas. New wetland construction, 115,220 square feet in area is planned. In addition, upland buffers which abut a wetland and would be permanent open space, in the amount of 31,123 square feet is proposed. To compensate for this fill, new wetland and wetland buffers equaling 94,196 square feet are proposed.

The Town's Zoning Ordinance permits wetland fill but if filled they must be replaced at a 2:1 ratio with 1:1 replacement on site and the remaining 1:1 someplace within the Township.

Zoning Ordinance Amendment:

SMC would like the Town to consider two modifications to the Zoning Ordinance relating to setbacks between a parking lot and an industrial building next to residential zoned or residential used property.

The property to the south of this site is zoned industrial but is currently used as a residence.

Section 7-1.4 of the Zoning Ordinance requires:

- A 20' setback between a parking space or drive lane and a residential use.
- A 70' setback between an individual building and a residential use.

SMC would like the Town to consider modifying these requirements which would permit a 15' parking lot setback and a 60' setback for the building.

The SMC site plan shows a setback of 15.28' between the parking lot and residential property boundary. The plan shows a 61.52' setback between the southerly building and the lot line.

Permitted Use Standards Permit:

A Permitted Use Standards Permit is required to allow construction of the building(s) and other site improvements such as parking lots and stormwater treatment systems.

A Permitted Use Standards Permit must meet the following standards prior to approval of a permit:

9-3.4(a). The use shall be planned, designed, constructed and maintained to avoid:

- (1). Unnecessary detracting 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.

9-3.4(b). No development shall be allowed which will result in unusual maintenance or repair costs of road, parking areas or utility lines.

9-3.4(c). Development shall be permitted only in such a manner that the maximum number of trees shall be preserved. It shall be the duty of the applicant to demonstrate that there are no feasible alternatives to the cutting of trees on the site.

9-3.4(d). The types and density of land use proposed for the site shall be suited to the site conditions and shall adequately correct problems due to soil limitations, including but not limited to, bearing strength, shrink-swell potential, slope stability, high groundwater, or wetness.

9-3.4(e). The proposed use shall be sited, designed, oriented and landscaped to produce a harmonious relationship of building and grounds to buildings and properties in the neighborhood.

9-3.4(f). The proposed use shall show sufficient landscaping to screen undesirable features and to enhance the development.

9-3.4(g). The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the policy and recommendations of the Comprehensive Plan.

9-3.4(h). 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.

At this time staff is working with consultants to complete their review(s) of the proposal. An updated staff report will be provided when the consultant reports are available.

TR/psw
cc:admin/add.file
b:SMC19

MEMORANDUM

TO: VARIANCE BOARD
FROM: TOM RIEDESEL
DATE: SEPTEMBER 19, 2019

SUBJECT: WETLAND BUFFER - SETBACK

REQUEST: VARIANCE FROM SECTION 5-2.10 ORDINANCE #87.
THE FLOOD PLAIN ORDINANCE.

LOCATION: 5800 – 5858 CENTERVILLE ROAD

APPLICANT: SMC CORPORATION

SMC Corporation is proposing to construct an additional light industrial building on their property at 5800 Centerville Rd. Several permit approvals are requested of the Town in order to approve the site improvements and new building. They include; a Minor subdivision, a permitted use standards permit and wetland permit.

The wetland permit requests the Town to approve fill of 63,228 sq. ft. of wetland but replace the filled wetland with new wetlands. A total of 115,220 sq. ft. of wetland planned to be created on site. In addition, upland buffers adjacent to wetland areas are planned to be saved (not available for development), in the amount of 31,123 sq. ft. Wetland credits are also being purchased in order to meet wetland filling requirements.

The applicants have attempted to create as much new wetland on the property as is possible, allowing for construction of new buildings and related improvements on the site.

White Bear Township requires minimum setbacks between a structure and a wetland. In addition section 5-2.10 of Ordinance #87, the flood plain ordinance, requires a minimum of a 20' buffer strip around wetlands.

The local watershed, VLAWMO, also requires wetland setbacks, similar to the Town's.

The SMC project plans show new wetland planned to be constructed up to a new drive lane and retaining wall. No buffer strip is provided. If the buffer strip is provided as described by ordinance, less replaced wetland would be created on site and additional wetland credits offsite must be purchased. The applicant and watershed (VLAWMO) prefer construction of the wetlands on site vs. purchasing additional credits. The buffer/wetland area in question is approximately 12,000 sq. ft.

A variance from section 5-2.10 of Ordinance #87 is being requested to allow a 0' setback between the access road and newly created wetland. Specifically, a 20' setback variance is requested.

Section 5-6 of Ordinance #87 states the following in regards to variance requests:

5-6. VARIANCE REQUESTS. The Town may grant a variance on a case-by-case basis. The content of a variance shall be specific, and shall not affect other approved provision of a SWPPP.

5-6.1. The variance request shall be in writing and include the reason for the requesting variance.

5-6.2. Economic hardship is not sufficient reason for granting a variance.

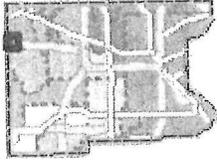
5-6.3. The Town shall respond to the variance request in writing and include the justification for granting or denying the request.

No Practical Difficulty needs to be proven when reviewing a variance from Ordinance #87. A practical difficulty is required to be proven when reviewing variance requests from the Zoning Ordinance (#35).

The following should be considered as rationale to support the variance request:

- The wetland delineation and replacement plan as proposed is supported by VLAWMO.
- Requiring the setback buffer will mean less wetland being created in the Township and more wetland credits being purchased outside of the Town.

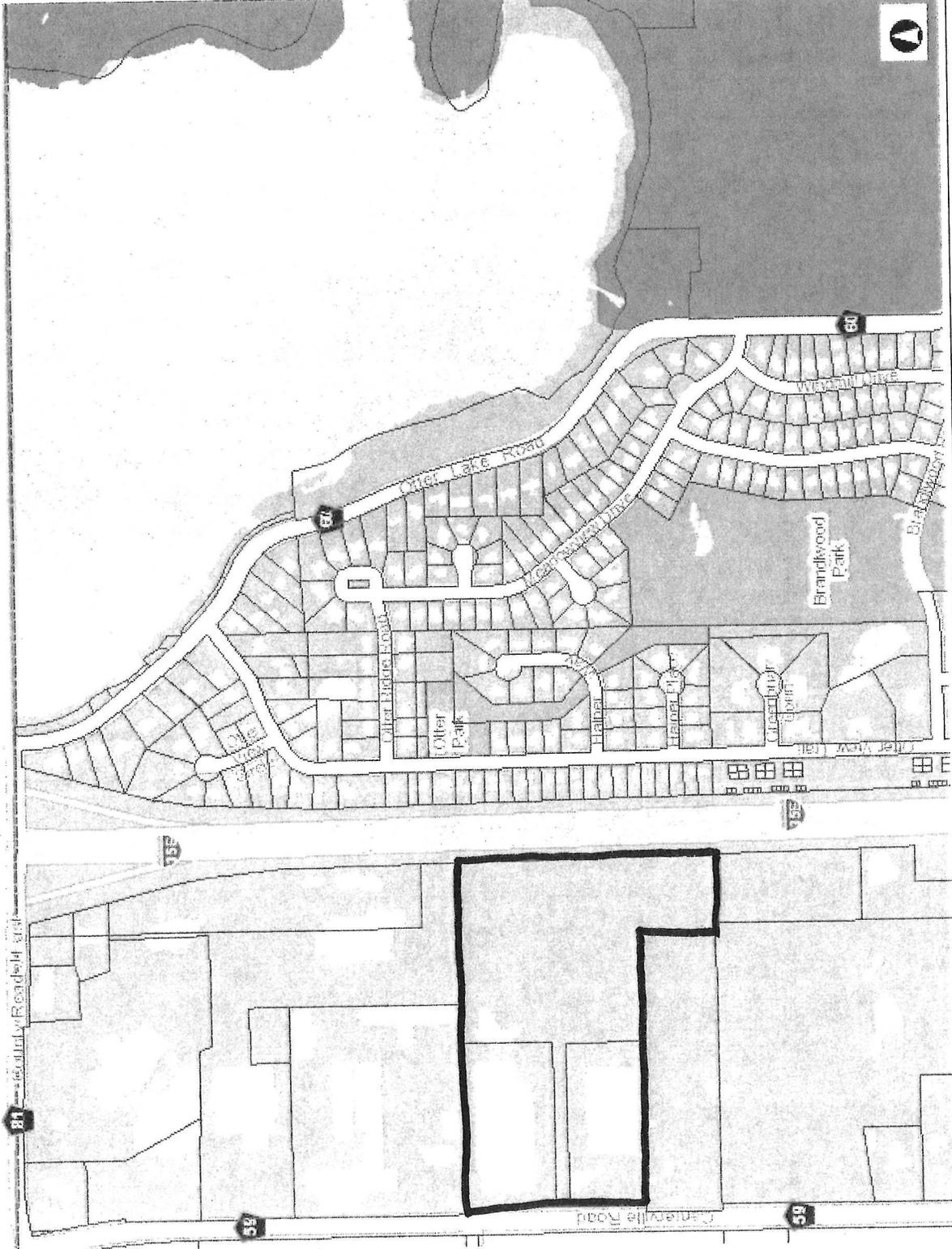
Legend



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

Notes

Enter Map Description



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

1,333.3 Feet

0

666.67



MINOR SUBDIVISION APPLICATION FORM

INTRODUCTION

A minor subdivision is a division of one parcel into two lots. Neither parcel can be further subdivided. The newly created lot must front on an existing street and cannot require the extension of municipal facilities or any public improvement. Utility connection charges and park dedication fees may apply.

APPLICANT(S) Mark Kronbeck PHONE (Home) _____
Alliant Engineering, Inc., (Business) 612-767-9338
(Cell) _____

ADDRESS 733 Marquette Ave, Suite 700
Minneapolis, MN 55402

PROPERTY OWNER The Specialty MFG. CO.

ADDRESS OF SITE 5858 Centerville Road ZONING L-1 Light Industrial

EXISTING USE OF SITE Vacant

_____ Fee (\$35.00 plus \$150.00 Initial Expense Deposit, Plus All Related Additional Costs Incurred Regarding the Request)

It is the policy of White Bear Township that all identifiable costs associated with a Minor Subdivision 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.



WETLAND PERMIT (REZONING) APPLICATION FORM

INTRODUCTION

A Wetland Permit may be granted or denied by the Town Board after recommendation by the Planning Commission in accordance with Ordinance No. 35 (Zoning), Section 9-5, Wetlands Overlay District Permit Procedure.

APPLICANT(S) Mark Kronbeck PHONE (Home) _____
Alliant Engineering, Inc. (Business) 612-767-9338
(Cell) _____

ADDRESS 733 Marquette Ave, Suite 700
Minneapolis, MN 55402

PROPERTY OWNER The Specialty MFG. CO.

ADDRESS OF SITE 5858 Centerville Road ZONING L-1 Light Industrial

EXISTING USE OF SITE Vacant

DESCRIPTION OF WETLAND USE REQUESTED The purpose of the project is to construct an additional warehouse facility adjacent to the existing Specialty Manufacturing buildings. The site improvement will include parking lots, loading docks, grading for future office space, an addition to the existing southern facility on site, storm water ponds, and on-site wetland mitigation.

x _____ Fee (\$110.00 plus \$200.00 Expense Deposit)

CHECKLIST:

x _____ 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, MPCA.
- x Certificate of Survey, full legal description
- x Building plans (size, intended use of structures, exterior finishes, floor plans and elevations).

REVIEW PROCESS:

1. Submit 15 copies of all plans larger than 11" x 17" and one 11" x 17" or 8 1/2" x 11" plan with the application, and all supporting information to the Town Planner (minimum of 3 weeks prior to Planning Commission Meeting).
2. Planning Commission _____ (4th Thursday of the month @ 7:00 p.m. at the Town Hall).
3. Town Board _____ (1st Monday of the following month @ 7:00 p.m. at the Town Hall)
(Call Public Hearing)
4. Town Board _____ Public Hearing
5. Town Board _____
(Action subject to Public Hearing Schedule)

STANDARDS:

A Wetland Permit is necessary if any work is proposed in a wetland, or if a wetland is proposed to be filled. A Wetland Permit may be approved by the Town Board if the proposal complies with the following standards:

1. Filling. A minimum amount of filling may be allowed for the reasonable use of property, but only when it will not have a substantial or significant adverse effect upon the ecological and hydrological characteristics of the water or wetland.
2. Avoidance. The applicant must demonstrate that the proposed filling is the least environmentally damaging practical alternative.
 - a. In evaluating a filling proposal, it shall be determined whether the proposed development requires or is dependent upon proximity to water or wetlands. If the development activity does not require proximity to water or wetlands, it is presumed that other alternatives to filling are available.
 - b. Any reasonable alternative which does not involve filling is presumed to have a less adverse impact upon the aquatic system to filling.
 - c. In evaluating filling, avoidance of a proposal for compensatory wetland replacement cannot be considered.

3. Minimization. All reasonable steps of project modification must be taken to decrease the adverse impact to a wetland to the least possible degree.
4. Replacement. Total wetland replacement shall be required for adverse impacts which remain after all avoidance and minimization actions have been taken. Wetland replacement shall be provided on an areal basis of 2 to 1 within the boundary limits of the Town, or at a minimum replacement on an areal basis of 1 to 1 within the site of development or specific use. Wetland replacement will include the following actions in descending order of acceptance.
 - a. Restoration of existing wetlands which have been degraded by filling or draining. Wetland restoration shall occur within the same watershed as the development site or specific use.
 - b. Creation of on-site man-made wetlands within or contiguous to the development site or specific use.
5. Any filling shall not cause the total flood storage capacity of the wetland to fall below the projected volume it would hold following the critical rainfall event over the developed drainage area.
6. Only fill which is free of chemical pollutants and organic wastes, as determined by the Town Board, may be used.
7. Deminimus. For projects proposing wetland fill and meeting the avoidance and minimization criteria, a wetland replacement plan shall not be required for draining or filling up to 400 square feet of wetland in a shoreland management zone, or up to 2,000 square feet outside of a shoreland management zone, regardless of the total amount of wetland filled as part of a project. The deminimus exception shall be permitted only one time for any project and/or property.

This plan will require review and approval by the following Governmental Agencies and White Bear Township:

- Rice Creek Watershed District (RCWD)
- Vadnais Lake Area Water Management Organization (VLAWMO)
- Ramsey County
- MnDOT
- US Army Corps of Engineers
- Minnesota Department of Natural Resources (DNR)
- White Bear Lake Conservation District

It is the policy of White Bear Township that all identifiable costs associated with Wetland 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.


Signature of Applicant(s)

8-8-19
Date

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



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) Kent Brunner PHONE (Home) _____
The Specialty MFG. CO. (Business) 651-762-4481
(Cell) 612-804-4209

ADDRESS 5858 Centerville Road
White Bear Township, MN 55127

PROPERTY OWNER The Specialty MFG. CO.

ADDRESS OF ZONING L-1 Light Industrial
SITE 5858 Centerville Road

EXISTING USE OF SITE Vacant

PROPOSED ZONING ORDINANCE AMENDMENT We request a change to section 7-1.4 of the ord. as follows: change the 20' setback for off street parking to 15' and change the 70' setback for an industrial building to 60'

REASON FOR REQUEST Even though the adjacent proporeerty south of SMC is zoned L-I it is used as residential, but is being marketed as I-1. Thus, we request this change, since it affects our project.
_____ Initial Fee (\$110.00 plus \$200.00 Expense Deposit)

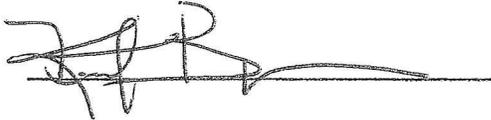
REVIEW PROCESS:

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

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

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

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



Signature of Applicant(s)

8/15/19

Date

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



PERMITTED USE STANDARDS APPLICATION FORM

INTRODUCTION

All permitted uses outlined in the Zoning Ordinance, Section 6-4, with the exception of single family dwellings and their accessory buildings are required to meet the standards set forth in Section 9-3, Permitted Use Standards Procedure of the Zoning Ordinance.

APPLICANT(S) Mark Kronbeck PHONE (Home) _____
Alliant Engineering, Inc. (Business) 612-767-9338
(Cell) _____

ADDRESS 733 Marquette Ave, Suite 700
Minneapolis, MN 55402

PROPERTY OWNER The Specialty MFG. CO.

ADDRESS OF SITE 5858 Centerville Road

ZONING L-1 Light Industrial

EXISTING USE OF SITE _____

DESCRIPTION OF PERMITTED USE REQUESTED The purpose of the project is to construct an additional warehouse facility adjacent to the existing Specialty Manufacturing buildings. The site improvement will include parking lots, loading docks, grading for future office space, an addition to the existing southern facility on site, storm water ponds, and on-site wetland mitigation.

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

CHECKLIST:

- x Site Plan – 15 full-sized copies (larger than 11 x 17) and one reduced size (8 ½ x 11)
- Existing conditions (all buildings, open space, retention areas, utility areas, service areas, and storage areas).
- x Site improvements (proposed locations of buildings, parking areas, drives, fences, walls, signs, lighting, walkways, patios, decks and barriers).

- Site locations and adjacent land use.
- Site grading and drainage plan.
- Topography (no greater than 2 foot intervals).
- Wetlands (delineation of streams, water bodies, wetlands and 100 year storm elevation).
- Paved or surfaced area (include type or materials and function of area to be paved).
- Proposed landscaping (include existing trees 7 inches or greater and large shrub massings).
- Building plans (size, intended use of structures, exterior finishes, floor plans and elevations).
- Schedule (when applicant intends to construct).
- Additional information if required.
- Certificate of Survey.
- Permits or written comments from other agencies (DNR, COE, RCWD, VLAWMO, Ramsey County Public Works, MPCA).

REVIEW PROCESS:

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

STANDARDS:

The Town Board will approve a Permitted Use Standards Permit only if the following facts are established.

- 1. There will be no detracting 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.

Tom Riedesel

From: Nathan Warner <nwarner@sehinc.com>
Sent: Monday, September 23, 2019 11:19 AM
To: Tom Riedesel
Cc: Charles Butterworth
Subject: Fw: Specialty Manufacturing - White Bear Township Resubmittal

Caution: This email originated outside our organization; please use caution.

Hi Tom,

The hydrologic model corrections have been made confirming that sediment reduction meets the requirements for the site. It is recommended to conditionally approve the proposed plans/stormwater management plan with understanding that the provisions listed in the previous memo will be addressed prior to full approval.

Let me know if you have any questions.

Thanks,

Nathan

Nathan Warner, PE(MN) | Professional Engineer
SEH | 3535 Vadnais Center Drive | St. Paul, MN 55110
651.302.7657 direct | 651.219.1069 cell | 888.908.8166 fax
www.sehinc.com
SEH — Building a Better World for All of Us™
----- Forwarded by Nathan Warner/seh on 09/23/2019 11:16 AM -----

From: Nathan Warner/seh
To: Charles Butterworth <cbutterworth@alliant-inc.com>
Date: 09/23/2019 11:15 AM
Subject: Re: Specialty Manufacturing - White Bear Township Resubmittal

Hi Charles,

Yes, the P8 model is acceptable and showing results sufficient to meet the water quality/sediment removal requirements.

Thanks,

Nathan

Nathan Warner, PE(MN) | Professional Engineer
SEH | 3535 Vadnais Center Drive | St. Paul, MN 55110
651.302.7657 direct | 651.219.1069 cell | 888.908.8166 fax
www.sehinc.com
SEH — Building a Better World for All of Us™



Building a Better World
for All of Us®

MEMORANDUM

TO: Tom Riedesel

FROM: Nathan Warner, PE (Lic. MN)
Oh

DATE: August 22, 2019

RE: Specialty Manufacturing - White Bear Township
SEH No. WHBRT 145109 14.00

BACKGROUND

At your request, we have reviewed Specialty Manufacturing Stormwater Narrative and SWPPP submitted on 8/15/19 and Civil Plans submitted on 8/8/19 for the proposed construction activities located at 5858 Centerville Rd.

STORMWATER MANAGEMENT REQUIREMENTS

The Township's Local Water Management Plan has adopted the policies of the Vadnais Lake Area Watershed Management Organization (VLAWMO) and requires compliance with their policies for stormwater management. In addition to local regulations, the project must be in compliance with the Minnesota Pollution Control Agency's NPDES Construction Stormwater Permit and the Township's Ordinance No. 87 Stormwater Management. The following criteria are applicable to the proposed project:

- **Rate Control.** The proposed project shall not increase the peak stormwater runoff rate from the site for the 2, 10, and 100-yr, 24-hr precipitation design events.
- **Volume Retention.** The MPCA requires a water quality volume (WQV) of one inch of runoff from the new impervious surfaces created by the project to be retained onsite. VLAWMO and White Bear Township requires onsite retention of 1.1 inches of runoff from the new and/or fully reconstructed impervious.
- **Water Quality.** For those projects where infiltration is prohibited other methods of volume retention shall be considered and the WQV must be treated by a wet sedimentation basin, filtration system, regional ponding or equivalent methods. White Bear Township requires design practices for new construction to provide an 80% sediment reduction from a one-year, 24-hour storm event.
- **Freeboard.** White Bear Township requires a minimum of 3 feet of freeboard above the 100-year, 24-hour storm event of water bodies or graded areas that create ponded conditions with a piped outlet to the low opening elevation of a structure. In consideration of the groundwater table, the low floor and

REVIEW COMMENTS

1. General Stormwater Notes

- A. Include information on disturbed area and existing and proposed impervious areas in stormwater narrative.
- B. **5-1.2(a)(6)** Include a maintenance plan and schedule for all permanent stormwater practices. Include information in the on which entity is responsible for long term maintenance of the project.

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 3535 Vadnais Center Drive, St. Paul, MN 55110-3507

SEH is 100% employee-owned | sehinc.com | 651.490.2000 | 800.325.2055 | 888.908.8166 fax

- C. **5-1.2(a)(7)** Include information in the stormwater narrative on phasing of construction with estimated start date, time frames and schedules for each construction phase, and completion date.
- D. Provide additional information in the stormwater narrative on future stormwater BMP and BMP location options being considered for treating the runoff from the future building and parking lot. Site plan shows that the proposed addition will remove Filtration Basin 2. Any future added impervious (even if less than 10,000 SF) for the site will require documentation that stormwater requirements are being met on-site.
- F. **5-2.3** Provide additional documentation demonstrating that installation of oil and grease best management control measures are not necessary for the site or that best management control measures are proposed.
- G. **5.2.8(d)** Provide additional information on maintenance access for inlet/outlet structure between Filtration Basin 3 and Wetland Mitigation Area 1.

2. HydroCAD Model and Rate Control (5-2.4)

- A. Update rainfall distribution from Type II to MSE-3 or nested distribution.
- B. For the Proposed HydroCAD model, update routing for FB3, which should be routed to 3P instead of 5P.
- C. Update Proposed Drainage Area map and HydroCAD model to include the portion of off-site drainage area that was included in the Existing Drainage Area analysis. The total drainage area analyzed for existing and proposed conditions should be the same.
- D. Provide soil borings showing that HSG used in the HydroCAD model are appropriate.

3. Water Quality

- A.. **5.2.1** Provide soil borings to confirm that infiltration on-site is infeasible.
- B. **5.2.2(a)** For sites where infiltration is infeasible, the site must meet sediment removal requirements Provide documentation and calculations showing 80% retention of soil particles greater than 5 microns from a 1-yr, 24-hr storm event.
- C. Provide detail for filtration basin(s). Use of a draitile with sock is not recommended due to potential issues with fines clogging the sock

4. Freeboard/Flood Control

- A.. **5-1.4(g)** Add NWL, 100-yr HWL and EOF elevations to Grading Plan (C-4.0) for all proposed BMPs and existing wetlands.
- B. **5-2.8(e)** Provide documentation that lowest floor elevation is at least 3 feet above the 100-yr HWL of adjacent BMPs and wetlands. Provide additional narrative information on the emergency overflow path for storm events larger than the 100-yr, 24-hr event, and any potential downstream impacts.

5. SWPPP

- A. The SWPPP is missing the overall information that should be included:
 - 1. Work in Waters Restrictions (DNR restricts work near stream/lakes during certain parts of the year)
 - 2. Permanent Stormwater Systems Description
 - 3. Pertinent Permits (MS4, FEMA, other relevant permits required)
 - 4. Contamination checklist
 - 5. SWPPP Reviewer Information/ID
 - 6. Project totals for impervious added, impervious removed, net change in impervious, and total disturbed area
 - 7. Overall project description
 - 8. List of receiving waters and status (impaired or not impaired)
- B. Map in SWPPP should have flow directional arrows to show drainage

6. Erosion and Sediment Control

- A. Silt fence/biolog on Grading Plan (C-4.0) is not clearly shown. It is recommended that the erosion control plan and grading plan are separate sheets.
- B. Areas of steep slopes (greater than 3:1) should be identified on the ESC.
- C. **5-1.4(m)** Due to downstream impaired waters, provide location of temporary sediment basin(s) for areas where 5 or more acres are disturbed and drain to a single point.
- D. Identify maintenance access area for inlet/outlet structure between Filtration Basin 3 and Wetland Mitigation Area 1.

7. Wetlands

- A. Permit Application was not provided for Review. Only items included in submittal were the Site Plan and permit from VLAWMO. Please provide additional information included with the Wetland Permit Application Form.
Additional information missing, but likely included as part of the Wetland Permit Application submitted to VLAWMO include,
 - i. Existing tree locations
 - ii. Project Schedule
 - iii. Permits received from and other correspondence with other agencies – USACE, Ramsey County
 - iv. Certificate of survey
 - v. Standards, as outlined on the City Application page 2 and 3

RECOMMENDATIONS

It is recommended that the proposed project not be approved until the hydrologic model corrections are made confirming rate control is satisfied, sediment reduction is demonstrated, and basin/structure elevations are modified such that the freeboard requirements are achieved.

NJW

c: Brad Woznak, PE

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

September 12, 2019

Honorable Chairman and Town Board
White Bear Township, Minnesota

Re: Specialty Manufacturing Expansion
Development Review
White Bear Township, Minnesota
TKDA Project No. 17127.001

Dear Board Members:

We have completed an engineering review of the Specialty Manufacturing Expansion project plans. A separate stormwater quality review will be completed by others.

Documents Reviewed

1. Preliminary Plans, updated September 10, 2019.
 - a. Landscape Plan L-1.0 and Photometric Plan P-1.0 were not reviewed.
2. American Engineering Testing Preliminary Boring Logs, dated September 5, 2019.
3. Minnesota Joint Stormwater Application Form
4. Storm sewer pipe sizing spreadsheet
5. Response to Engineering Review comments
6. Response to Stormwater Review comments
7. Stormwater Management Memorandum, dated September 10, 2019.

Regulatory Requirements

No site activity may begin until Final Plans and Specifications are approved by the Town Board, all wetland buffer requirements are met, and all required permits have been acquired, including MnDOT, Ramsey County, VLAWMO, Army Corps of Engineers and utility extension permits. In addition, all stormwater review comments by SEH shall be addressed.

Plan Review

Show topography for existing conditions on offsite areas adjacent to the project property.

Several retaining walls are proposed on site. Signed design plans for the walls must be provided.

The use of modular blocks for the stabilization of the bank that supports the private road may be a future replacement burden for the Township, if the road becomes Public responsibility.

The bottom of the wall on the north side of the private drive extension will be temporarily inundated during periods of high water. The retaining wall detail on Sheet C-6.0 shows drain tile running along the

wall base, below ground level. A high water table is anticipated because of the nearby wetlands, but soil boring information has not been received. Verify that the drain tile will function as planned with a high water table.

A retaining wall is proposed directly adjacent to the Private Drive Extension, and the driveway south of the proposed building is 15' from a retaining wall, with steep slopes leading down to it. The retaining wall detail states that fence information is shown on Architectural plans, which were not provided.

A minimum 20-foot buffer strip around wetlands shall be maintained at all times using native vegetation. Proposed wetland mitigation area and Wetland abut directly against the Private Drive.

All onsite stormwater BMPs and stormwater conveyance infrastructure will be private.

The Developer will provide a maintenance agreement for the stormwater system. Township approval is required.

No drainage and utility easements are shown over any of the existing ponds or wetlands. Provide drainage and utility easements for proposed filtration basins and storm sewer conveyance system.

The Town will need a copy of the required maintenance agreements for the filtration basins for the record at Public Works.

The existing private road is in need of a surface treatment. SMC has crack filled the lateral cracks on the road.

Review steep slopes at the edge of the property.

SWPPP

There are some references to the old NPDES permit in the Sediment Control Practices and Inspections and Maintenance sections.

A full SWPPP review will be done later.

Utility Plan

Proposed storm sewer is HDPE. Township standard is RCP. The storm sewer conveyance system will be private.

Provide utility easements to allow access to the proposed sanitary sewer and watermain infrastructure.

Because of elevation constraints, Alliant Engineering says they cannot meet MPCA's recommended slope for filtration basin underdrains of 0.5%. System will need to be head driven.

The proposed watermain runs to the northeast corner of the property, which is a change from the initial plan submittal. What is the purpose of this stub?

A watermain loop is required from the proposed cul de sac to the watermain located in the northwest area of the project.



A full review of utility plans, details and specifications will be done later.

Storm Sewer Pipe Sizing Spreadsheet

Storm sewer is sized using a 5-year design storm. Per Section 5-5.2(b) of Ordinance 87 (Stormwater Management), the storm sewer conveyance system shall be designed for a 10-year, 24-hour storm event.

Stormwater Management Memorandum

To meet VLAWMO requirements for retaining storm water onsite, four filtration basins are proposed. The filtration basins are sized to retain and treat the required 1.1" over proposed impervious surface. Two of the filtration basins conflict with the future building expansion scheduled for 2021; they are to be removed and replaced with an underground filtration tank, below the future parking lot. No information for the tank was provided. The tank shall be sized to provide the required treatment for both phases.

Proposed routing diagram shows Filtration Basins 1 and 2 draining to Wetland E. Utility plan shows filtration basin underdrains draining to directly to storm sewer.

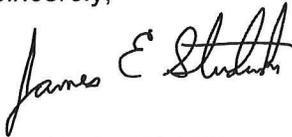
Will existing ponds be able to handle the additional overflow from the proposed expansion area?

Proposed runoff rates are lower than existing, as required.

We are not able to recommend approval at this time. Several design changes are required, and a number of permits and reviews still need to be approved, which may require further design changes. VLAWMO, MnDOT, Ramsey County, Army Corps of Engineers have not been received, and are needed for approval.

Please contact me at (651) 292-4503 with any questions.

Sincerely,



Jim Studenski, P.E.
Town Engineer

cc: Tom Riedesel, Town Planner
Dale Reed, Public Works Director





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

August 22, 2019

Planning Commission
White Bear Township, Minnesota

Re: Specialty Manufacturing Expansion
Development Review
White Bear Township, Minnesota
TKDA Project No. 17127.001

Dear Commission Members:

We have completed an engineering review of the Specialty Manufacturing Expansion project plans. A separate stormwater quality review will be completed by others.

Documents Reviewed

1. Planning Submittal Plans, dated August 8, 2019.
 - a. Cover Plan C-0.0
 - b. Existing Conditions Survey C-1.0
 - c. Preliminary Plat C-2.0
 - d. Final Plat
 - e. Site Plan C-3.0
 - f. Grading Plan C-4.0
 - g. Stormwater Pollution Prevention Plan C-4.1
 - h. Utility Plan C-5.0
 - i. Details C-6.0
 - j. Landscape Plan L-1.0 was not reviewed.
 - k. Photometric Plan P-1.0 was not reviewed.
2. Stormwater Management Memorandum, dated August 15, 2019.
3. VLAWMO Findings Documents

Regulatory Requirements

No work may begin until Final Plans and Specifications are approved by the Town Board, and all required permits have been acquired, including Ramsey County, VLAWMO, Army Corps of Engineers and utility extension permits.

Plan Review

Site Plan

Several retaining walls are proposed on site. Signed design plans for the walls must be provided. The use of modular blocks for the stabilization of the bank that supports the private road by be a future replacement burden for the Township, if the road becomes Public responsibility.

The bottom of the wall on the north side of the private drive extension will be temporarily inundated during periods of high water. The retaining wall detail shows drain tile running along the wall base, below ground level. A high water table is anticipated because of the nearby wetlands, but soil boring information has not been received. Verify that the drain tile will function as planned with a high water table.

Wetland mitigation areas go right up to the retaining wall north of the private drive extension.

Filtration Basin #4 is in the same location as a truck loading lot for the Future Building Addition. Please clarify.

Clarify who will be maintaining the filtration basins, storm water conveyance system etc. within the new private road, parking lot, and building lot. No easements are shown over any of the improvement areas or storm sewer for maintenance access.

Provide details for the proposed filtration basins.

The Town will need a copy of the required maintenance agreements for the filtration basins for the record at Public Works.

The existing private road is in need of a surface treatment. SMC has crackfilled the lateral cracks on the road.

SWPPP

The references to the NPDES permit in the SWPPP use the numbering system of the previous permit that expired August 1, 2018. Update with references to the new NPDES permit issued August 1, 2018.

The MPCA identifies Wilkinson Lake as an impaired water. Since it is within one mile of the project site, if it receives runoff from the project location, it must be labeled as impaired on the SWPPP.

The SWPPP must include the number of acres of impervious surface for both pre- and post-construction.

A full SWPPP review will be done at a later date.

Utility Plan

Two storm sewer pipe connections are proposed to the same structure at an acute angle. Verify that the structure is large enough to receive both connections at that angle.

The filtration basin underdrains appear to be at 0.0% slope. MPCA recommends minimum slope of 0.5%. It will be difficult to install at 0.0% without low spots or backfall.

Filtration Basin #1 drains via a 6" drain tile with a daylight elevation of 927.50. During periods of high water there may be backflow into the drain tile

A full review of utility plans, details and specifications will be done at a later date.



Specialty Manufacturing Expansion
Development Review
August 22, 2019
Page 3

Details

Provide details for the filtration ponds, including the underdrains.

Erosion control plans were not provided at this stage. They are required for the final plans.

Stormwater Management Memorandum

The plans show a 21,600 square feet Future Building Addition with some additional pavement for a truck loading dock. This is not mentioned in the Proposed Improvements section of the Memorandum. Clarify that this impervious area is included in the totals. It is not included in the drainage delineation boundaries on the Proposed Drainage Map.

Proposed runoff rates are lower than existing, as required.

The provided treatment volumes are sufficient to retain 1.1-inches of runoff on site, as required.

Provide storm sewer pipe sizing calculations.

VLAWMO Findings Documents

VLAWMO has approved the wetland replacement plan. Final approval of the development is still pending.

Please contact me at (651) 292-4503 with any questions.

Sincerely,

Jim Studenski, P.E.
Town Engineer

cc: Tom Riedesel, Town Planner
Dale Reed, Public Works Director





White Bear Lake Fire Department
4701 Hwy 61
White Bear Lake, MN 55110
Tel. (651) 429-8568 Fax. (651) 429-8501

August 15, 2019

RJ Ryan Construction
1100 Mendota Heights Road
Mendota Heights, MN 55120

RE: General Building Plan Review

Project: Specialty Manufacturing
5858 Centerville Road

The plans for the above project have been reviewed. Please review the comments listed below and let me know if you have any questions.

Specific Comments

- For all Fire related questions or inspections, please call (651) 762-4842.



White Bear Lake Fire Department
4701 Hwy 61
White Bear Lake, MN 55110
Tel. (651) 429-8568 Fax. (651) 429-8501

General Comments

1. All roads and drive lane shall meet the White Bear Lake Fire Department requirements for widths and turning radiuses. Provide layout showing White Bear Lake Fire Apparatus turning radius overlay on drive lanes.
2. Address number shall be plainly visible from the street fronting the property and shall contrasting color from the background.
3. Install an approved emergency lock box for Fire Department emergency access to building at an **approved location** and provide keys for emergency access into and throughout the occupancy as required.
4. The fire sprinkler system shall be installed compliant with provisions of 2010 NFPA Standard 13, Installation of Sprinkler Systems. City permit required **prior** to initiation of work.
5. Fire Department sprinkler connection location to be **approved** prior to installation and must be within 100' of a fire hydrant.
6. The fire alarm system, shall be installed compliant with provisions of 2010 NFPA Standard 72, National Fire Alarm Code. City permit required **prior** to initiation of work.
7. The sprinkler system shall be properly monitored by a qualified monitoring company.
8. Install emergency egress illumination in the means of egress including exit discharge compliant with 2015 MSFC.
9. Install compliant exit signage as required by the 2015 MSFC.
10. Provide and install dry chemical fire extinguishers certified for service and tagged as required. Service classification rating shall be a minimum 2A classification rating and maximum travel distance of 75 feet to extinguishers. The minimum classification rating may be upgraded for special or extra hazard areas within the occupancy.
11. Provide information concerning combustible interior finish materials used for this project. Interior finish materials shall be classified as required by 2015 MSFC as to flame spread and smoke development characteristics. Interior wall and ceiling finish shall have a flame spread index not greater than that specified in 2015 MSFC for the group of proposed occupancy and location of interior finish. Please furnish product specification sheets listing this information.

APPARATUS MEASUREMENTS
MARCH, 2019

UNIT	TOTAL LENGTH	CENTER WHEEL TO CENTER WHEEL (CENTER OF FURTHEST REAR AXEL)	FRONT WHEEL CENTER TO FRONT BUMPER	REAR WHEEL CENTER TO REAR BUMPER
AMBULANCE	276"	160"	38"	82"
L914	408"	214"	102"	92"
E925	420"	244"	66"	108"
NEW E925	403"	195"	98"	110"
R923	432"	218"	102"	112"
T916	422"	263"	70"	94"
L812	480"	276"	84"	126"

Tom Riedesel

From: Lux, Joseph <Joseph.Lux@CO.RAMSEY.MN.US>
Sent: Thursday, September 19, 2019 11:57 AM
To: Mark Kronbeck
Cc: Laberee, Erin; Estochen, Bradley M; Tom Riedesel
Subject: RE: Specialty Manufacturing

Caution: This email originated outside our organization; please use caution.

Hi, Mark:

I discussed the numbers you sent with Erin and Brad and no changes to the access will be needed and no re-permitting required. Thanks again for sending them and please let me know if you have any questions.

Joe Lux

Joseph Lux
Senior Transportation Planner
Ramsey County Public Works
1425 Paul Kirkwold Drive, Arden Hills, MN 55112
651-266-7114



From: Mark Kronbeck [mailto:mkronbeck@alliant-inc.com]
Sent: Wednesday, September 18, 2019 4:48 PM
To: Lux, Joseph <Joseph.Lux@CO.RAMSEY.MN.US>
Cc: Laberee, Erin <Erin.Laberee@CO.RAMSEY.MN.US>; Estochen, Bradley M <Bradley.Estochen@CO.RAMSEY.MN.US>
Subject: RE: Specialty Manufacturing

Joe,

The easterly portion of the proposed building at Specialty Manufacturing "campus" will have a tenant, who is Par Aide. They have 33 total employees and have requested 35 to 45 parking stalls. They typically do not have customers come to their facility and are not open to the public. Here is a breakdown of their staff and their normal work hours:

14 Employees	6:30a – 3:30p
10 Employees	7:00a – 4:00p
9 Employees	8:00a – 5:00p

Times are approx. +/- 30 min.

Specialty Manufacturing does not plan to add any additional employees for the new building. Specialty Manufacturing will be using the western portion of the new building as warehouse and storage. Some of their warehouse and shipping employees will be moving goods between the new building where they will be storing excess inventory. The 5858 building where their shipping dept is. Attached is a spreadsheet we received from Specialty Manufacturing that lists their employees per building and their typical work hours.

SMC Building Expansion Comments

1. Who will be maintaining the filtration basins, storm water conveyance system etc. within the new private road, parking lot, and building lot? I am assuming SMC will be. Currently I don't see any easement over any of the improvement areas for maintenance access, if SMC was to neglect the maintenance.
2. Will the existing pond #8 be able to handle the additional overflow from the proposed expansion area.
3. The Town will need a copy of the required maintenance for the filtration basins for the record at Public Works.
4. I don't see any easement for the existing pond #9?
5. The use of modular blocks for the stabilization of the bank that supports the private road by be a future replacement burden for the Township, if the road becomes Public responsibility.
6. The existing private road is in need of a surface treatment. SMC has crackfilled the lateral cracks on the road.



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, September 16, 2019, beginning at 7:00 p.m. to consider the following request:

- Wetland Permit to Allow Filling & Mitigation

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

Lot 1, Block 2, & Outlot A of the Specialty Manufacturing Addition
(5800 & 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 21st day of August, 2019.

BY ORDER OF THE TOWN BOARD OF SUPERVISORS

PATRICK CHRISTOPHERSON, Clerk-Treasurer

BROWN'S CREEK WATERSHED DISTRICT NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that on Wednesday, September 11, 2019, at 6:30 p.m., the Brown's Creek Watershed District Board of Managers will hold a public hearing to receive comments on the District's proposed 2020 Budget and Levy. The District's proposed total budget for 2020 is \$2,107,077, including grants, fees and levy funding sources. The proposed tax levy is \$164,690 for the General Fund and \$935,122 for the Management Plan Project Fund for a total proposed levy of \$1,099,812, a proposed 0.3% decrease from 2019. The public hearing will be held at the Family Means, 1875 Northwestern Ave S, Stillwater, MN.

Anne Maule Miller, Secretary, Browns Creek Watershed District
Published two times in the White Bear Press on September 4 and 11, 2019.

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 17, 2019, 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 \$122,345.57.

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 September 4 and 11, 2019.

CITY OF MAHTOMEDI

NOTICE OF PUBLIC HEARING

REGARDING PRELIMINARY BUDGET AND LEVY FOR 2020

Notice is hereby given that the City Council of Mahtomedi will hold a public hearing on Tuesday, September 17, 2019, 7:00 p.m. at City Hall, 600 Stillwater Road, to consider the preliminary budget and levy for 2020. Anyone having an interest in this matter is invited to attend this meeting.

Jerene Rogers, city clerk

Published one time in the White Bear Press on September 4, 2019.

CITY OF VADNAIS HEIGHTS

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Vadnais Heights Planning Commission will meet and conduct a public hearing on Tuesday, September 24, 2019 at 7:00 p.m. at City Hall, 800 East County Road E, to consider a Variance application submitted by Thomas Hayes, to construct a garage addition.

The legal description of the property is as follows:
LOT 2, BLOCK 3, WOOD RIDGE ADDITION NO. 2, Ramsey County, Vadnais Heights, Minnesota.

This parcel is located at 4001 McMenemy Street.
Anyone wishing to be heard in regards 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@cityofvadnaisheights.com.

FOR THE PLANNING COMMISSION OF THE

CITY OF VADNAIS HEIGHTS

Kevin P. Watson, City Administrator

Dated: September 4, 2019

Published one time in the White Bear Press on September 4, 2019.



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, September 16, 2019, beginning at 7:00 p.m. to consider the following request:

• Wetland Permit to Allow Filling & Mitigation pertaining to the following described property lying and being in the Town of White Bear, Ramsey County, Minnesota:

Lot 1, Block 2, & Outlot A of the Specialty Manufacturing Addition (5800 & 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 21st day of August, 2019.

BY ORDER OF THE TOWN BOARD OF SUPERVISORS

PATRICK CHRISTOPHERSON, Clerk-Treasurer

Published one time in the White Bear Press on September 4, 2019.

STATE OF MINNESOTA, RAMSEY COUNTY

SUMMONS WITH CHILDREN

TO ABDUSAMAD SANO USMAN, RESPONDENT

COURT FILE NO. 62-FA-19-1430

In Re the Marriage of Makia Abdella and Abdusamad Sano Usman. Petitioner Makia Abdella has filed a lawsuit. A Summons is herewith served upon you. The object of this proceeding is a dissolution of the marriage relationship. Published three times in the Vadnais Heights Press on September 4, 11 and 18, 2019.

STATE OF MINNESOTA

COUNTY OF RAMSEY

DISTRICT COURT

PROBATE DIVISION

SECOND JUDICIAL DISTRICT

COURT FILE NO.: 62-PR-19-531

NOTICE OF INFORMAL APPOINTMENT OF PERSONAL

REPRESENTATIVE AND NOTICE TO CREDITORS (INTESTATE)

In Re: Estate of

Elizabeth A. Walters

Decedent.

Notice is given that an Application for Informal Appointment of Personal Representative was filed with the Registrar. No Will has been presented for probate. The Registrar accepted the application and appointed Michelle R. Mendez, D.O., whose address is 12737 Michaels Landing Circle, Jacksonville, FL 32224, to serve as the personal representative of the Decedent's estate.

Any heir or other interested person may be entitled to appointment as personal representative or may object to the appointment of the personal representative. Any objection to the appointment of the personal representative must be filed with the Court, and any property filed objection will be heard by

the Court after notice is provided to interested persons of the date of hearing on the objection.

Unless objections are filed, and unless the Court orders otherwise, the personal representatives has the full power to administer the estate, including, after thirty (30) days from the issuance of letters of general administration, the power to sell, encumber, lease, or distribute any interest in real estate owned by the Decedent.

Notice is further given that, subject to Minn. Stat. §524.3-801, all creditors having claims against the Decedent's estate are required to present the claims to the personal representative or to the Court within four (4) months after the date of this notice or the claims will be barred.

Date: July 19, 2019

Michael Olson, Registrar

Michael Upton, Court Administrator

ANDREW BRANSKY & POOLE, P.A.

Aaron R. Bransky MN# 226610

Attorney for Michelle R. Mendez, D.O.

302 West Superior Street, Suite 300

Telephone: 218-722-1764

Facsimile: 218-722-6137

E-mail: abransky@duluthlawfirm.com

Published two times in the White Bear Press on August 26 and September 4, 2019.

NOTICE OF MORTGAGE FORECLOSURE SALE

PUBLIC NOTICE

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

DATE OF MORTGAGE: October 17, 2018
ORIGINAL PRINCIPAL AMOUNT OF MORTGAGE: \$318,000.00
MORTGAGOR(S): Empire Financial LLC, RDS Investments Co. and Robert D. Stein

MORTGAGEE: Capital Lending Group, Inc.
DATE AND PLACE OF RECORDING: Recorded with the County Recorder in and for the County of Ramsey, State of Minnesota, on the 17th day of October, 2018, as Document No. 4731652

DATE AND PLACE OF REGISTRATION: Registered with the Registrar of Titles in and for the County of Ramsey, State of Minnesota, on the 17th day of October, 2018, as Document No. 2626044

ASSIGNMENTS OF MORTGAGE: Assigned to Minneapolis Property, LLC

LEGAL DESCRIPTION OF PROPERTY:
Parcel 1: Lot 5, Block 12, Nelson, Stevens and King's Addition (REGISTERED PROPERTY)

Parcel 2: The South 1/2 of Lot 1, Block 3, J.F. Eisenmenger's Addition to the City of St. Paul.

Parcel 3: The North 60 feet of Lot 3, Block 7, Beaure and Kelly's Addition.

Parcel 4: Lot 1, Block 4, Joseph R. Weige's 2nd Addition.

Parcel 5: Lot 17, Block 4, Syndicate No. 3 Addition.

Parcel 6: Lot 14, Block 1, Skidmore's Addition, also known as "Skidmore and Cassidy's Addition".

PROPERTY ADDRESS:
154 King Street West, St. Paul, MN 55107; 1041 Park Street, St. Paul, MN 55117; 1150 Burr Street, St. Paul, MN 55130; 1293 Payne Avenue, St. Paul, MN 55130; 853 Lafond Avenue, St. Paul, MN 55104; and 572 Earl Street, St. Paul, MN 55106

COUNTY IN WHICH PROPERTY IS LOCATED: Ramsey
AMOUNT DUE AND CLAIMED TO BE DUE AS OF DATE OF NOTICE, INCLUDING TAXES, IF ANY, PAID BY MORTGAGEE: \$338,347.64

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

THAT pursuant to the power of sale contained in said mortgage, the above-described property will be sold by the Sheriff of Ramsey County as follows:

DATE AND TIME OF SALE: August 23, 2019, at 10:00 a.m.
PLACE OF SALE: Ramsey County Sheriff's Office, City Hall Annex, 25 West 4th Street, Suite 150, St. Paul, Minnesota, to pay the debt secured by said mortgage and taxes, if any, on said premises and the costs and disbursements, including attorneys' fees allowed by law subject to redemption within six (6) months from the date of said sale by the mortgagor(s), their personal representatives or assigns.

THE TIME ALLOWED BY LAW FOR REDEMPTION BY THE MORTGAGOR, THE MORTGAGOR'S PERSONAL REPRESENTATIVES OR ASSIGNS, MAY BE REDUCED TO FIVE WEEKS IF A JUDICIAL ORDER IS ENTERED UNDER MINNESOTA STATUTES, SECTION 582.032, DETERMINING, AMONG OTHER THINGS, THAT THE MORTGAGED PREMISES ARE IMPROVED WITH A RESIDENTIAL DWELLING OF LESS THAN FIVE UNITS, ARE NOT PROPERTY USED IN AGRICULTURAL PRODUCTION, AND ARE ABANDONED.

Dated: July 2, 2019
Minneapolis Property, LLC
Assignee of Mortgage

HOELSCHER LAW FIRM, PLLC
By: /s/ Brian G. Hoelscher #0238752
Attorneys for Assignee of Mortgage

13100 Wayzata Boulevard, Suite 100
Minnetonka, MN 55305
(952) 224-9551

FORECLOSURE DATA
Minn. Stat. Sec. 580.025

(1) the physical street address, city, and zip code of the mortgaged premises is 154 King Street West, St. Paul, MN 55107; 1041 Park Street, St. Paul, MN 55117; 1150 Burr Street, St. Paul, MN 55130; 1293 Payne Avenue, St. Paul, MN 55130; 853 Lafond Avenue, St. Paul, MN 55104; 572 Earl Street, St. Paul, MN 55106;

(2) the name of the transaction agent, residential mortgage servicer, and the lender or broker, as defined in section 58.02, if the person holding the mortgage is a transaction agent as defined in section 58.02, subdivision 30 are as follows: - not applicable; or the name of the residential mortgage servicer and the lender or broker, as defined in section 58.02, if the person holding the mortgage is not a transaction agent as defined in section 58.02, subdivision 30 are as follows: residential mortgage servicer - Superior Financing, Inc., lender or broker - Minneapolis Property, LLC;

(3) the tax parcel identification number of the mortgaged premises is: 282922340074; 282922340075; 352923120153; 362923220040, 282922340074; 282922340075; 352923120153;

(4) if stated on the mortgage, the transaction agent's mortgage identification number is: - not applicable;

(5) if stated on the mortgage, the name of the residential mortgage originator as defined in section 58.02 is: Capital Lending Group, Inc.

NOTICE OF POSTPONEMENT

OF MORTGAGE FORECLOSURE SALE

The above referenced sale scheduled for August 23, 2019, at 10:00 a.m. has been postponed to September 25, 2019, at 10:00 a.m. in the Ramsey County Sheriff's Office, City Hall Annex, 25 West 4th Street, Suite 150, St. Paul, Minnesota.

Dated: August 23, 2019

Minneapolis Property, LLC

Assignee of Mortgage

HOELSCHER LAW FIRM, PLLC

By: /s/ Brian G. Hoelscher #0238752

Attorneys for Assignee of Mortgage

13100 Wayzata Boulevard, Suite 100

Minnetonka, MN 55305

(952) 224-9551

Published one time in the Vadnais Heights Press on September 4, 2019.

NOTICE OF MORTGAGE FORECLOSURE SALE

PUBLIC NOTICE

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

DATE OF MORTGAGE: November 13, 2018
ORIGINAL PRINCIPAL AMOUNT OF MORTGAGE: \$273,000.00
MORTGAGOR(S): Empire Financial LLC and RDS Investments Co.

MORTGAGEE: Capital Lending Group, Inc.
DATE AND PLACE OF RECORDING: Recorded with the County Recorder in and for the County of Ramsey, State of Minnesota, on the 13th day of November, 2018, as Document No. 4734778

DATE AND PLACE OF REGISTRATION: Registered with the Registrar of Titles in and for the County of Ramsey, State of Minnesota, on the 13th day of November, 2018, as Document No. 2627577

ASSIGNMENTS OF MORTGAGE: Assigned to Minneapolis Property, LLC

LEGAL DESCRIPTION OF PROPERTY:
Parcel 1: Lot 23, Block 2, Cloverdale, (REGISTERED PROPERTY)

Parcel 2: The West half of the East Two-thirds of Lot 4, Block 19, Beaure and Kelly's Addition to Saint Paul (REGISTERED PROPERTY) and The East 22 feet of the West One-third of Lot 4, Block 19, Beaure and Kelly's Addition to Saint Paul.

Parcel 3: Lot 15, Dobner's Rearrangement of Block 2, Hamline Syndicate No. 1, (REGISTERED PROPERTY)

Parcel 4: Lot 16, Corrected Map of Smith's Subdivision of Block 3, Stinson's Division of the Northwest Quarter of Section 36, Township 29, Range 23.

Parcel 5: Lot 17, Block 11, Terry's Addition to the City of St. Paul.

Parcel 6: Lot 18, Block 11, Terry's Addition to the City of St. Paul.

Parcel 7: Lot 17, Block 4, Syndicate No. 3 Addition.
PROPERTY ADDRESS:

1091 Rose Avenue E, St. Paul, MN 55106; 378 Jessamine Avenue E, St. Paul, MN 55130; 1503 Van Buren Avenue, St. Paul, MN 55104; 678 Kent Street, St. Paul, MN 55103; 1021 Minnehaha Avenue E, St. Paul, MN 55106; 1025 Minnehaha Avenue E, St. Paul, MN 55106; and 853 Lafond Avenue, St. Paul, MN 55104

COUNTY IN WHICH PROPERTY IS LOCATED: Ramsey
AMOUNT DUE AND CLAIMED TO BE DUE AS OF DATE OF NOTICE, INCLUDING TAXES, IF ANY, PAID BY MORTGAGEE: \$247,827.36

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

THAT pursuant to the power of sale contained in said mortgage, the above-described property will be sold by the Sheriff of Ramsey County as follows:

DATE AND TIME OF SALE: August 23, 2019, at 10:00 a.m.
PLACE OF SALE: Ramsey County Sheriff's Office, City Hall Annex, 25 West 4th Street, Suite 150, St. Paul, Minnesota, to pay the debt secured by said mortgage and taxes, if any, on said premises and the costs and disbursements, including attorneys' fees allowed by law subject to redemption within six (6) months from the date of said sale by the mortgagor(s), their personal representatives or assigns.

THE TIME ALLOWED BY LAW FOR REDEMPTION BY THE MORTGAGOR, THE MORTGAGOR'S PERSONAL REPRESENTATIVES OR ASSIGNS, MAY BE REDUCED TO FIVE WEEKS IF A JUDICIAL ORDER IS ENTERED UNDER MINNESOTA STATUTES, SECTION 582.032, DETERMINING, AMONG OTHER THINGS, THAT THE MORTGAGED PREMISES ARE IMPROVED WITH A RESIDENTIAL DWELLING OF LESS THAN FIVE UNITS, ARE NOT PROPERTY USED IN AGRICULTURAL PRODUCTION, AND ARE ABANDONED.

Dated: July 2, 2019
Minneapolis Property, LLC
Assignee of Mortgage

HOELSCHER LAW FIRM, PLLC
By: /s/ Brian G. Hoelscher #0238752
Attorneys for Assignee of Mortgage

13100 Wayzata Boulevard, Suite 100
Minnetonka, MN 55305
(952) 224-9551

FORECLOSURE DATA
Minn. Stat. Sec. 580.025

(1) the physical street address, city, and zip code of the mortgaged premises is 1091 Rose Avenue E, St. Paul, MN 55106; 378 Jessamine Avenue E, St. Paul, MN 55130; 1503 Van Buren Avenue, St. Paul, MN 55104; 678 Kent Street, St. Paul, MN 55103; 1021 Minnehaha Avenue E, St. Paul, MN 55106; 1025 Minnehaha Avenue E, St. Paul, MN 55106; 853 Lafond Avenue, St. Paul, MN 55104;

(2) the name of the transaction agent, residential mortgage servicer, and the lender or broker, as defined in section 58.02, if the person holding the mortgage is a transaction agent as defined in section 58.02, subdivision 30 are as follows: - not applicable; or the name of the residential mortgage servicer and the lender or broker, as defined in section 58.02, if the person holding the mortgage is not a transaction agent as defined in section 58.02, subdivision 30 are as follows: residential mortgage servicer - Superior Financing, Inc., lender or broker - Minneapolis Property, LLC;

(3) the tax parcel identification number of the mortgaged premises is: 282922120135; 29292220133; 282922120135; 362923220040, 282922340074; 282922340075; 352923120153;

(4) if stated on the mortgage, the transaction agent's mortgage identification number is: - not applicable;

(5) if stated on the mortgage, the name of the residential mortgage originator as defined in section 58.02 is: Capital Lending Group, Inc.

NOTICE OF POSTPONEMENT

OF MORTGAGE FORECLOSURE SALE

The above referenced sale scheduled for August 23, 2019, at 10:00 a.m. has been postponed to September 25, 2019, at 10:00 a.m. in the Ramsey County Sheriff's Office, City Hall Annex, 25 West 4th Street, Suite 150, St. Paul, Minnesota.

Dated: August 23, 2019
Minneapolis Property, LLC
Assignee of Mortgage

HOELSCHER LAW FIRM, PLLC
By: /s/ Brian G. Hoelscher #0238752
Attorneys for Assignee of Mortgage

13100 Wayzata Boulevard, Suite 100
Minnetonka, MN 55305
(952) 224-9551

Published one time in the Vadnais Heights Press on September 4, 2019.



WHITE BEAR TOWNSHIP

1858
RAMSEY COUNTY
MINNESOTA

1281 HAMMOND ROAD
WHITE BEAR TOWNSHIP, MN 55110

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

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

September 5, 2019

Dear Interested Property Owner:

Enclosed please find a Public Notice regarding the request for a Wetland Permit in White Bear Township.

The SMC Corporation located at 5800/5858 Centerville Road, will be constructing a new 63,228 square foot office/manufacturing/warehouse building which will impact some of the wetlands located on the property requiring approval of a Wetland Permit. Any wetlands which will be filled must be replaced.

The Public Hearing on the matter has been scheduled for **Monday, September 16, 2019, at 7:00 p.m., at Heritage Hall, 4200 Otter Lake Road, White Bear Township, Minnesota.**

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

Sincerely,

Patti Walstad
Paralegal

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

CITY OF NORTH OAKS
100 VILLAGE CENTER DR, STE 230
NORTH OAKS MN 55127

Parcel ID: 043022130003

**RAYMOND R SIEBENALER TRUSTEE,
KAREN R SIEBENALER TRUSTEE**
5776 CENTERVILLE RD
WHITE BEAR TWSP MN 55110-6803

Parcel ID: 043022130012

SPECIALTY MFG CO
5858 CENTERVILLE RD
ST PAUL MN 55127-6804

Parcel ID: 043022240018

**WILKINSON LAKE HOMEOWNERS ASSN, C
O NORTH OAKS CO LLC**
5959 CENTERVILLE RD STE 200
NORTH OAKS MN 55127-6812

Parcel ID: 043022240019

NORTH OAKS COMPANY LLC
5959 CENTERVILLE RD UNIT 200
NORTH OAKS MN 55127-6812



Wetland Permit

A Wetland Permit is hereby given by the Town Board of the Town of White Bear to the SMC Corporation for wetland work to be done on property lying and being as follows:

Lot 1, Block 1, Specialty Manufacturing Second Addition
(5820 Centerville Road)

in accordance with the action taken at the October 7, 2019 Town Board meeting (see attached minutes).

The Public Hearing is continued in accordance with Section 9-9.3(a).(2) of Ordinance No. 35, to Monday, April 6, 2020, at 7:00 p.m. at Heritage Hall, 4200 Otter Lake Road, White Bear Township, Minnesota, at which time the Town Board will determine if the standards imposed by this Wetland Permit have been performed.

PATRICK CHRISTOPHERSON
Clerk-Treasurer
Town of White Bear

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 1, Specialty manufacturing Second Addition
and commonly known as SMC Corporation, 5820 Centerville Road, White Bear Township, is in a(n) I - 1 Light Industrial District and can be used for the following purpose: Construction of a 121,728 square foot office/warehouse/manufacturing building, pursuant to Ordinance No. 35, the Zoning Ordinance for the Town of White Bear, Ramsey County, Minnesota.

Dated: September 16, 2019.

TOWN CLERK

- CONDITIONAL USE PERMIT
- PERMITTED USE
- NON-CONFORMING USE
- SPECIAL HOME OCCUPANCY PERMIT
- OTHER: _____

**Permitted Use Standards Permit
Requirements**

**SMC Corporation
5820 Centerville Road
White Bear Township MN 55127**

1. The following plans are made a part hereof by reference:
 - Cover sheet C-0.0 dated 9/27/19
 - Existing conditions C-1.0 dated 8/8/19
 - Preliminary Plat C-2.0 dated 9/27/19
 - Site Plan C-3.0 dated 9/27/19
 - Overall Grading, Drainage & Erosion Control Plan C-4.0 dated 9/27/19
 - Stormwater Pollution Prevention Plan C-4.1 dated 9/27/19
 - Stormwater Pollution Prevention Plan C-4.2 date 9/27/19
 - Overall Grading, Drainage & Erosion Control Plan C-4.3 dated 9/27/19
 - Utility Plan C-5.0 dated 9/27/19
 - Details Plan C-6.0 dated 9/27/19
 - OLS Details C-6.1 dated 9/27/19
 - Landscape Plan L-1.0 dated 9/27/19
 - Photometric Plan P-1.0 dated 9/27/19
2. Drainage and Utility Easements shall be provided to and over all stormwater treatment facilities.
3. Fire Inspector comments attached hereto shall be complied with.
4. The Town shall be copied on all required maintenance for the sites filtration basins.
5. All Town Engineer requirements including the following shall be complied with:
 - Engineered retaining wall plans are required for all walls over 4' tall.
 - Filtration slopes shall be a maximum of .5%
 - Treatment volumes for storm pond must be provided.
6. A maintenance plan and schedule for all permanent stormwater practices must be provided. Information on which entity is responsible for long term maintenance of the project must be included.
7. A SWPPP must be provided including the following information:

- Work in water restrictions
 - Pertinent permits such as MS4, FEMA and others must be provided to the Town
 - Contamination checklist
 - SWPPP reviewer information/ID
 - Overall project description
8. Due to downstream impaired waters, provide location of temporary sediment basins for areas where more than 5 acres are disturbed and drain to a single point.
 9. Provide VLAWMO Wetland Permit application form.
 10. Provide permits from VLAWMO and other agencies.
 11. SMC shall be responsible for maintenance of the private road accessing the site and new building.
 12. All requirements of the MnDOT shall be complied with.
 13. All requirements of VLAWMO shall be complied with.
 14. All requirements of the Army Corp of Engineers shall be complied with.
 15. All State, Federal and local laws and Ordinances shall be complied with.

TR/psw
cc:admin/add.file
b:smcrequirements19



White Bear Lake Fire Department
4701 Hwy 61
White Bear Lake, MN 55110
Tel. (651) 429-8568 Fax. (651) 429-8501

August 15, 2019

RJ Ryan Construction
1100 Mendota Heights Road
Mendota Heights, MN 55120

RE: General Building Plan Review

Project: Specialty Manufacturing
5858 Centerville Road

The plans for the above project have been reviewed. Please review the comments listed below and let me know if you have any questions.

Specific Comments

- For all Fire related questions or inspections, please call (651) 762-4842.



White Bear Lake Fire Department
4701 Hwy 61
White Bear Lake, MN 55110
Tel. (651) 429-8568 Fax. (651) 429-8501

General Comments

1. All roads and drive lane shall meet the White Bear Lake Fire Department requirements for widths and turning radiuses. Provide layout showing White Bear Lake Fire Apparatus turning radius overlay on drive lanes.
2. Address number shall be plainly visible from the street fronting the property and shall contrasting color from the background.
3. Install an approved emergency lock box for Fire Department emergency access to building at an **approved location** and provide keys for emergency access into and throughout the occupancy as required.
4. The fire sprinkler system shall be installed compliant with provisions of 2010 NFPA Standard 13, Installation of Sprinkler Systems. City permit required **prior** to initiation of work.
5. Fire Department sprinkler connection location to be **approved** prior to installation and must be within 100' of a fire hydrant.
6. The fire alarm system, shall be installed compliant with provisions of 2010 NFPA Standard 72, National Fire Alarm Code. City permit required **prior** to initiation of work.
7. The sprinkler system shall be properly monitored by a qualified monitoring company.
8. Install emergency egress illumination in the means of egress including exit discharge compliant with 2015 MSFC.
9. Install compliant exit signage as required by the 2015 MSFC.
10. Provide and install dry chemical fire extinguishers certified for service and tagged as required. Service classification rating shall be a minimum 2A classification rating and maximum travel distance of 75 feet to extinguishers. The minimum classification rating may be upgraded for special or extra hazard areas within the occupancy.
11. Provide information concerning combustible interior finish materials used for this project. Interior finish materials shall be classified as required by 2015 MSFC as to flame spread and smoke development characteristics. Interior wall and ceiling finish shall have a flame spread index not greater than that specified in 2015 MSFC for the group of proposed occupancy and location of interior finish. Please furnish product specification sheets listing this information.



White Bear Lake Fire Department
4701 Hwy 61
White Bear Lake, MN 55110
Tel. (651) 429-8568 Fax. (651) 429-8501

12. The required fire-resistance rating of rated construction shall be maintained. Openings through rated construction for the passage of wiring, sleeves, conduit, piping, etc. shall be protected by repair with approved materials which maintains the rating of the construction damaged, altered, breeched or penetrated.
13. Rooms containing controls for air-conditioning systems, sprinkler risers and valves, or other fire detection, suppression or control elements shall be identified for the use of the fire department. Approved signs required to identify fire protection equipment and equipment location, shall be constructed of durable materials, permanently installed and readily visible.

Codes and Standards Used for this Review

- ❖ This review is based on the following codes and standards as adopted and in effect in the State of Minnesota at the time of plan submittal.
 - 2015 Minnesota State Fire Code
 - NFPA 72, 2010 edition
 - NFPA 13, 2010 edition

Thank You,

Kurt Frison
Assistant Fire Chief / Fire Marshal
(651) 762-4842



**Town Board Meeting
October 7, 2019**

Agenda Number: 8.A – New Business

**Subject: Tim Wald – WBL #624 School District - Bond Referendum
Presentation**

Documentation: None

Action / Motion for Consideration:

Report at Meeting / Discuss

Presentation



**Town Board Meeting
October 7, 2019**

Agenda Number: 8.B – New Business

Subject: Municipal Services Agreement – City of Gem Lake

Documentation: Agreement

Action / Motion for Consideration:

Report at Meeting / Discuss

MUNICIPAL SERVICES AGREEMENT

THIS AGREEMENT is made and entered into between the TOWN OF WHITE BEAR (the TOWN), a political subdivision under the laws of the State of Minnesota, and the CITY OF GEM LAKE (the CITY), a Minnesota municipal corporation.

WHEREAS, the CITY is in need of personnel to provide municipal services to its residents,

AND WHEREAS, the TOWN is able to perform such municipal services at an hourly rate,

NOW, THEREFORE, for good and valuable consideration the parties agree as follows:

That the TOWN shall provide the following staff to perform such municipal services at the direction of the CITY at the following rates:

Building Inspector	Prevailing Hourly Rate
Administrative Secretary	Prevailing Hourly Rate
City Treasurer (Finance Officer)	Prevailing Hourly Rate
Accounting Clerk/Administrative Secretary	Prevailing Hourly Rate
Clerk (City Clerk)	Prevailing Hourly Rate
Public Works Maintenance Worker (Seasonal and/or Regular & after hours)	Prevailing Hourly Rate
Equipment Used to Perform Services	Prevailing Hourly Rate

The charges to the CITY shall be itemized with specific reference to the type of work performed.

The TOWN shall only charge the rate assigned to the specific category. In the event an individual with a higher rate has to perform the services, the TOWN shall advise the CITY with respect to the necessity of using the higher rate of that individual.

The TOWN and the CITY shall indemnify and hold each other harmless for any loss or liability arising from performing services under this Agreement.

At all times during the term, including any renewal term, the TOWN shall keep in full force and effect a policy or policies of liability insurance with respect to the personnel and services described in this Agreement, with companies licensed to do business in the State of Minnesota. The TOWN shall name the CITY as an additional named insured and shall provide adequate coverage under reasonable limits of liability of not less than the statutory limits for municipalities. The TOWN agrees to hold the CITY harmless and

agrees to defend and indemnify the CITY for any claims related to its responsibilities under this Agreement.

At all times during the term, including any renewal term, the CITY shall keep in full force and effect a policy or policies of liability insurance with respect to the use of and reliance upon CITY documents and materials by TOWN employees in the provisions of services described in this Agreement, with companies licensed to do business in the State of Minnesota. The CITY shall name the TOWN as an additional named insured and shall provide adequate coverage under reasonable limits of liability of not less than the statutory limits for municipalities. The CITY agrees to hold the TOWN harmless and agrees to defend and indemnify the TOWN for any claims related to the use of or reliance upon CITY documents and materials by employees of the TOWN performing duties pursuant to this Agreement.

The Municipal Services Agreement shall be renewed on a per annum basis, and the TOWN shall provide the CITY in September the estimated prevailing hourly rate of the individuals that will service this Agreement. The CITY, before approving the Agreement, shall have a set hourly rate from the TOWN.

The TOWN or the CITY may terminate this Agreement with or without cause upon sixty (60) days written notice as follows :

To the TOWN:

Town of White Bear
Clerk-Treasurer
1281 Hammond Road
White Bear Township MN 55110

To the CITY:

City of Gem Lake
Mayor
4200 Otter Lake Road
White Bear Township MN 55110

IN WITNESS WHEREOF, the Town of White Bear and the City of Gem Lake have caused this Agreement to be executed on their behalf by their proper officers, Board and Council.

TOWN OF WHITE BEAR

By: _____
____ Its Town Board Chair

ATTEST:

Dated: __, 2019 .

By: _____ Its Town Clerk

CITY OF GEM LAKE

By: _____
Its Mayor

And By: _____
Its City Clerk



**Town Board Meeting
October 7, 2019**

Agenda Number: 8.C – New Business

Town Planner Item:

Subject: Off-Season Dock & Lift Storage

Documentation: None

Action / Motion for Consideration:

Report at Meeting / Discuss

**Minutes
Planning Commission Meeting
October 2, 2019**

ADDED AGENDA ITEMS: The Commission also discussed shoreline management and storage of docks and boat lifts. It was brought up due to shoreline residents removing docks from the lake and storing them along the lake or roadway. It was noted that there are a few shorelines that could be better maintained. It was noted that many look in the western direction as the sun sets, but there are docks and other equipment in the way of some folks' views along the road, mostly on Bald Eagle Boulevard East and West, but other shorelines were discussed. There was discussion as to whether the Town could adopt an ordinance for residents to comply with better maintained shoreline equipment storage in the off season. It was noted that the DNR has rules already, they are just not always enforced. There was discussion on whether or not there should be a neighborhood meeting. Finally it was the consensus that the Town Board will have staff write a letter to the residents of Bald Eagle Lake regarding this matter. It will be stated that the Town would prefer tidiness to be recommended without need for actual legal verbiage. If the letter is needed on other shorelines, it will be sent out at a later date; however it was the consensus that this letter will get out before the next meeting due to the freezing temperatures ensuring equipment stays in place.



**Town Board Meeting
October 7, 2019**

Agenda Number: 8.D – New Business

Subject: MCES Services 2017 Municipal I & I Grant Program:

- 1) Adopt Resolution Authorizing Participation in the MCES Services 2017 Municipal I & I Grant Program
- 2) Authorize Execution of the State of Minnesota General Obligation Bond Financed Certification Attachment 1-A

Documentation: Resolution / Certification Attachment 1-A

Action / Motion for Consideration:

Report at Meeting / Discuss

Based on Public Works Director & Town Engineering Review & Recommendation:

- 1) **Adopt Resolution Authorizing Participation in the MCES Services 2017 Municipal I & I Grant Program**

Ruzek – Moves

McCune – Seconds

- 2) Authorize Execution of the State of Minnesota General Obligation Bond Financed Certification Attachment 1-A

EXTRACT OF MINUTES OF A MEETING OF THE TOWN
BOARD OF THE TOWN OF WHITE BEAR, MINNESOTA,
HELD ON OCTOBER 7, 2019

Pursuant to due call and notice thereof, a Regular meeting of the Town Board of the Town of White Bear, Minnesota, was duly held at Heritage Hall in said Town on October 7, 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 PARTICIPATING
IN THE MCES SERVICES 2017 MUNICIPAL
I & I GRANT PROGRAM**

WHEREAS, the Metropolitan Council Environmental Services (MCES) has identified White Bear Township as one of the many metro cities having excessive quantities of stormwater and groundwater, commonly referred to as Inflow and Infiltration (I & I), entering the public sanitary sewer system,

AND WHEREAS, to facilitate the reduction of I & I, MCES is offering a Preliminary Minimum Allocation of \$50,000 per metro city/town, with provisions for future distribution of available funding until the total \$8,739,000 for the State of Minnesota has been expended on I & I reduction measures,

AND WHEREAS, the Township's Engineer and Public Works Director have identified public sanitary sewer system components requiring rehabilitation to minimize or eliminate excessive I & I,

AND WHEREAS, the Township anticipates receiving a Letter of Intent from the Metropolitan Council confirming receipt of the Township's application and approval to participate in the 2017 State Bond Fund Municipal I & I Grant Program,

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

That TKDA was authorized to apply for and submit the application for these grant funds.

Attachment I to Grant Agreement

**State of Minnesota
General Obligation Bond Financed
DECLARATION**

The undersigned has the following interest in the real property located in the County of Ramsey, State of Minnesota that is legally described in **Exhibit A** attached and all facilities situated thereon (collectively, the "Restricted Property"):

(Check the appropriate box.)

a fee simple title,

a lease, or

an easement,

and as owner of such fee title, lease or easement, does hereby declare that such interest in the Restricted Property is hereby made subject to the following restrictions and encumbrances:

- A. The Restricted Property is bond financed property within the meaning of Minn. Stat. § 16A.695, is subject to the encumbrance created and requirements imposed by such statute, and cannot be sold, mortgaged, encumbered or otherwise disposed of without the approval of the Commissioner of Minnesota Management and Budget, which approval must be evidenced by a written statement signed by said commissioner and attached to the deed, mortgage, encumbrance or instrument used to sell or otherwise dispose of the Restricted Property; and
- B. The Restricted Property is subject to all of the terms, conditions, provisions, and limitations contained in that certain 2017 Municipal Inflow/Infiltration Grant Program between the Metropolitan Council and _____, dated _____, ____.

The Restricted Property shall remain subject to this State of Minnesota General Obligation Bond Financed Declaration for 125% of the useful life of the Restricted Property or until the Restricted Property is sold with the written approval of the Commissioner of Minnesota Management and Budget, at which time it shall be released therefrom by way of a written release in recordable form signed by both the _____ of Metropolitan Council and the Commissioner of Minnesota Management and Budget, and such written release is recorded in the real estate records relating to the Restricted Property. This Declaration may not be terminated, amended, or in any way modified without the specific written consent of the Commissioner of Minnesota Management and Budget.

Attachment I-A

**State of Minnesota
General Obligation Bond Financed
CERTIFICATION**

The undersigned hereby certifies as follows:

This Certification is being submitted pursuant to the Waiver of Real Property Declaration granted by Minnesota Management and Budget to Metropolitan Council for Municipal Publicly-Owned Infrastructure Inflow/Infiltration projects or the portions thereof which lie entirely within public road, street and highway rights-of-way and utility easements.

[Grantee] certifies that [Grantee] has read and will comply with the terms and conditions of the Waiver of Real Property Declaration, a copy of which is attached to this Certification and further, that the Governmental Program which is the subject of and described in the Municipal Publicly-Owned Infrastructure Inflow/Infiltration Grant Agreement [No. _____] between [Grantee] and Metropolitan Council qualifies for the Waiver of Real Property Declaration.

The undersigned owns fee title to property and/or permanent easement and/or other easement which meets the requirements of this Agreement for wastewater collection purposes and/or permit for pipe in [identify Permitter, e.g., Hennepin Co.] public right of way which meets the requirements of this Agreement for wastewater collection purposes and a wastewater collection system within the fee title, permanent easement, and/or the other easement and wastewater collection system being located in _____ County, Minnesota. The fee title property, permanent easement and/or other easement and the wastewater collection system therein is referred to as "Restricted Property" and is described in Exhibit A attached hereto by **legal description, narrative description or diagram.**

As the owner of the Restricted Property, the undersigned hereby acknowledges the following restrictions and encumbrances with respect to the Restricted Property:

- A. The Restricted Property is State bond financed property within the meaning of Minn. Stat. § 16A.695 that exists as of the effective date of the grant agreement identified in paragraph B below, is subject to the encumbrance created and requirements imposed by such statutory provision, and cannot be sold, mortgaged, encumbered or otherwise disposed of without the approval of the Commissioner of Minnesota Management and Budget, or its successor, which approval must be evidenced by a written statement signed by said commissioner and attached to the deed, mortgage, encumbrance or instrument used to sell or otherwise dispose of the Restricted Property; and
- B. The Restricted Property is subject to all of the terms, conditions, provisions, and limitations contained in the G.O Grant agreement between Metropolitan Council and [Grantee], dated _____, ____.

Exhibit A
LEGAL DESCRIPTION, NARRATIVE DESCRIPTION, OR MAP OF RESTRICTED
PROPERTY

Attachment II to Grant Agreement
LEGAL DESCRIPTION OF REAL PROPERTY

(For Projects for which a Certification is being submitted, use the description attached to the Certification submitted.)



**Town Board Meeting
October 7, 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