



WHITE BEAR TOWNSHIP

1858
RAMSEY COUNTY
MINNESOTA

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WHITE BEAR TOWNSHIP, MN 55110

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

AGENDA EXECUTIVE MEETING JULY 24, 2020

1. **8:00 a.m.** Call Meeting to Order at Administrative Office Conference Room, 1281 Hammond Road.
2. Approval of Agenda (Additions/Deletions).
3. Approval of June 26, 2020 Minutes.

Ramsey County Presentation – County Representatives to Attend

4. 2020 Street Improvements – Update.
5. Stable Property Feasibility Report – Update.
6. Water System Improvements – Update.
7. I & I – Update.
8. Ordinance No. 47 Amendments – Rentals.
9. Township Mission Statement – Review.
10. Reschedule September 7th Meeting to September 9th Due to Holiday.
11. 2021-2030 CIP – Review.
12. Public Works Director Report.
13. Code Enforcement Officer / Building Inspector Report:
 - a. 5456 Township Drive
 - b. 1647 Park Avenue
14. Clerk-Treasurer Report:
 - a. DNR Groundwater Management – Update
 - b. Discussion-Proposed New/Budgeted Staff Positions.
 - c. Option C - Appointment of Town Administrator – Discussion.
15. Added Agenda Items.
16. Receipt of Agenda Materials/Supplements.
17. Adjournment.

White Bear Township's

Mission:

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





**Town Board Executive Meeting
July 24, 2020**

Agenda Number: 1 – 2 - 3

Subject: Approval of July 24, 2020 Agenda
Approval of June 26, 2020 Minutes

Documentation: July 24, 2020 Agenda
June 26, 2019 Minutes

Action / Motion for Consideration:

Call meeting to order:	
Approval of Agenda:	July 24, 2020 (additions/deletions)
Approval of Minutes:	June 26, 2020 (additions/deletions)

**MINUTES
TOWN BOARD EXECUTIVE MEETING
JUNE 26, 2020**

The meeting was called to order at 8:00 a.m.

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

APPROVAL OF AGENDA (Additions/Deletions): Ruzek moved approval of the agenda as submitted. McCune seconded. Ayes all.

APPROVAL OF MINUTES OF MAY 22, 2020: Ruzek moved approval of the May 22, 2020. McCune seconded. Ayes all.

2020 STREET IMPROVEMENTS – PETERSON ROAD – UPDATE: The Town Engineer reported that Peterson Road is a part of the Town's comp plan, with the future goal of connecting with County Road H2 and pedestrian traffic, with other future planning in the Three Oaks development, etc. Six property owners attended the neighborhood meeting. The details of what the road will be like, what residents would like when it comes to driveway bases, adjustments in regards to assessments, and the feasibility study were all discussed at the neighborhood meeting. The public hearing is on Monday, July 6th. If approved, the plans and specifications would be the next step and construction would begin fall of 2020. If not completed in the fall, it will be completed in the spring of 2021. It was noted that the northern half of the road will stay gravel, and the southern part will be improved as recommended, and be 26 feet wide with concrete curb and gutter, and sidewalk adjacent to the road.

It was noted that there is 1 neighbor completely opposed, 1 neighbor completely for, and 4 neighbors who have shown support but know of the financial impact this project will take. There was some discussion of the road height, curb and gutter will help the water run down the street, and other grading discussion.

2020 Street Improvements: The Town Engineer reported on the current 2020 street improvement projects, noting that the easterly streets have been milled and currently the contractors are installing storm sewers on Arbor Drive. There have been some minor issues that the Town has expected to find that it is correcting, for example: buried culverts. The contractors are installing culvert crossings of streets and improving drainage. So far the resident interaction has been very positive, as the Engineer noted; and the children in the area have loved watching the construction equipment.

It was noted that there will be no more milling roads before the 4th of July, and there will be little travel impact on the weekend. After the 4th, the construction crew will kick back up, installing curb and gutter and pavement. It was briefly noted that the contractors have had to relocate some mailboxes due to tight conditions, but the process is still positive and on schedule.

Otter Ridge Circle: The Town Engineer reported that due to a scheduling oversight in meeting times and dates, the neighborhood meeting for Otter Ridge Circle will be held on Wednesday, July 8th, and the public hearing will be on Monday, July 20th.

**MINUTES
TOWN BOARD EXECUTIVE MEETING
MAY 22, 2020**

WATER SYSTEM IMPROVEMENTS – UPDATE: The Public Works Director updated the Board on the improvements of well 4 and pump 4. Well 4 is now at the point of capacity. The test pumping has finished and the pump and motor will be ordered and installed shortly after delivery. Staff is a bit behind due to waiting 3 extra weeks for the Minnesota Department of Health approval of the project due to the COVID-19 pandemic. Because of this, staff is working hard during the busy, higher water consumption, season. The Town Engineer noted that previously the pump had a capacity of 450 gallons per minutes (GPM), and though the goal was 1000 GPM, the current capacity is 1100 GPM with test pumping increasing it to 1250 GPM. By the end of July or early August, the project will be completed.

There was some discussion of the water meter reading on Monday the 29th. There was also a note that the Town will open up water to the City of Birchwood on Tuesday the 30th for a last-minute project that came up. And a new meter will need to be put in along County Road F/Wildwood/Century 120, that area had leaked water for 4 hours. The Town will be reimbursed.

I & I – UPDATE: The Public Works Director reported that staff has identified a sewer line on Otter Lake Road that needs to be off set. Staff received a quote and reviewed it. As it turns out, the project needs some enhancing, so staff is getting more quotes. The price will be around \$16,000 for repair and bids will be brought to the Board once ready.

It was noted that the I & I found an area where flushable wipes were getting stacked up in the pipes and could cause sewer issues. It was noted that the Town Clerk will put a reminder in *News & Views*. The Town's pumps can tear it up, but sometimes they don't make it to the pumps if the wipes get stuck in the pipes. There was some discussion over PVC systems and some projects around Leibel Street. Town Staff is looking into grants, but MET Council doesn't include Townships.

TOBIN LAY & BIRCHWOOD CITY COUNCIL MEMBERS – SOUTH WATER TOWER ANTENNA REQUEST: Jonathan Fleck was present on Tobin Lay's behalf and called in Mayor of the City of Birchwood for discussion on this agenda item. It was reported that the City of Birchwood is looking to install an antenna on the Township's south water tower to provide better service to its residents. The thing is, the Township currently doesn't have any antenna leases, but if a company or provider wanted to lease the space, the Town would miss out on the lease if Birchwood's antenna were there. What's more is, another provider would pay more. The Town and Birchwood would form a type of Joint Powers Agreement, if a number is agreed upon, and it would be less than other potential offers. There was some discussion over water tower upgrades and the logistics/cost of that.

There was discussion of what would go into this kind of agreement. The Town Attorney noted that Birchwood would have to provide an engineering report on ground space for the utility shed, quality of the structure and how the proposed antennas would impact the structure of the water tower over time.

There will be more discussion over this agenda item at a later date.

**MINUTES
TOWN BOARD EXECUTIVE MEETING
MAY 22, 2020**

LAKE LINKS REPRESENTATIVES: Steve Walgomot, Mike Brooks, and Greg Bars were present to discuss the Lake Links Trail. Walgomot sent the Board a history and funding memorandum. He went over survey results from residents and strongly advocated for the one-way trail around Bald Eagle Boulevard. Currently the County has possession and responsibility over Bald Eagle Boulevard. If the County reconstructed the road and turned it into a one-way road with the trail extension, the Township would resume responsibility over the road. This would produce more economic impact on the Township, for which, the Town already has a burden that is not met with reprieve from any governmental agency. It was noted by the representatives that only 0.6 miles of the trail and road would be in the Township's jurisdiction. However, this still will cost around \$8,000 annually in Town maintenance on average.

Walgomot explained the funding that has been allocated for the trail has a certain amount of time to be turned into trail. Brooks discussed how the residents who took the survey feel toward the future economic impact of the road improvements. In his words: they would consider it worth the trail. There was some discussion of the change in traffic patterns that a one-way would cause. The Board concluded that they will discuss and staff will be in touch. As a final note, Brooks reported that a resident donated \$5,200 of his own money for trail costs.

There was some discussion once the representatives left. They sent an email thanking the Township shortly after their meeting. The counters have been stolen in the past so traffic counts have been off. Walking numbers are skewed because this isn't a normal year due to COVID-19. This one-way would change everything for bus drivers, trash, recycling, trucks. There was some discussion on how the logistics would look. As of now the Board doesn't know how or if it would work.

JEFF MILLER – SUMMIT LANE DISCUSSION: Jeff Miller, 2651 South Shore Blvd, and Catherine McIntre Belke were present to give their sides of the story on current Summit Lane discussion. There had been an incident with debris that was removed from his hedges and traded back and forth between Miller and Belke that ended in an argument that involved the police. Miller concludes that he is requesting that instead of designating a resident, that the Town designates a Townsperson to open and close the park, and at the end of the summer decide whether to leave the park open or closed for good.

Belke gave her side of the story noting that she had thought the debris had blown into Summit Lane, and had picked it up, placing it near the street for pick up, near Miller's lot line. She reported that she, along with other neighbors, have contributed to the park's beauty in time and money.

The Town Attorney gave some input on easement and boundary line issues, noted that Police do not like to be antagonized to monitor a location like this. He asked the residents to treat each other with respect and not punish a neighborhood by having Summit Lane closed permanently. Because that would be the result: the Town does not have the staff, time, and effort to babysit a park like what has been requested. The Attorney gave examples of other neighborhood cases: tree limbs hanging over a property line, mailbox issues, etc., and how judges do not like these civil cases.

**MINUTES
TOWN BOARD EXECUTIVE MEETING
MAY 22, 2020**

JIM EICHTEN, MMKR – AUDITOR: The Town Finance Officer reported that Jim Eichten is the Town's new financial auditor and will give a comprehensive annual financial report of the Township's assets. He started with the Management Report and reviewed it page by page. The Audit Summary gives the Township the main objectives, the purpose of the audit, which is due to the state on June 30th, the responsibility of the Township, and MMKR's certification to perform audits. This is MMKR's first year with the Township, so part of the introduction included showing the planning and organization of the audit. Though the firm didn't divert from the plan, there were some challenges and irregularities found that are needed to be discussed.

The firm's opinion of the audit is in the large packet entitled, "White Bear Township, Minnesota Comprehensive Annual Financial Report". The noted material prior period adjustments found during the audit were the property held for resale; the Public Employees Retirement Association deferred outflows, net pension liability, and deferred inflows; and adjusting journal entries that were recorded by the Township in the prior year general ledger that were not recorded in the audit the year prior. The property held for resale was that the Township reported the land the Town has as an expense versus a value sheet item. The EDA bought the land held for resale in the prior audit and it wasn't included in the report, so it is considered a discrepancy. The discrepancy of \$685,000 was in the favor of the Township. The Employee Pension Plan documentation was also a discrepancy of \$650,000 in favor of the Township. The third item noted was regarding checks that regarded the Township's bill-paying method. Townships are legally responsible to pay bills within 30 days of receiving them. For this, staff would write the check but hold it, now the staff will wait until after a new document is formally received before issuing the check, eliminating this issue going forward.

The Minnesota State law and regulation require that the findings be presented and acted upon. The corrective action plan is in the larger packet, and will be added to the Consent Agenda for the Town Board to approve on Monday, July 6th. There were some other notes regarding the impact of Novel Coronavirus (COVID-19) and employee gatherings that were discussed.

Eichten went on to explain the governmental funds overview of the Township in regards to other governmentally taxing entities: township, county, school, special taxing. The Township's funds were laid out in graph function, measuring their growth and consistency in regards to previous years' growth and consistency. Finally, there was some brief discussion of the legislative updates in the rear of the packet. Once the report is accepted it will be sent to the state.

GHD/WHIRLPOOL/REYNOLDS DISCHARGE OF EXTRACT GROUNDWATER – UPDATE: Town Board Supervisor McCune requested billing updates based on this agenda item. GHD/Whirlpool/Reynolds and the Township had an original agreement in the 90's, which was a sort of handshake deal that had gotten lost in transition between turnover and retirements. For a couple years the Township did not receive payment of water consumption by this company, and since have partly reconciled the differences. The Board wants to ensure that Town staff and this party are continuing to reconcile the funds to the Township. It was noted that the MET Council bills the Township regardless and the \$7,000 to \$8,000 come out of the enterprise funds versus the general funds. Staff will be in contact, and the Public Works Director will share the water reading results with the Town. There will be more discussion at later meetings.

**MINUTES
TOWN BOARD EXECUTIVE MEETING
MAY 22, 2020**

Water Meter Update: The Public Works Director reported that 67 new water meters were needed as of the subcontractors Hydrocorp's leaving pre-COVID-19 pandemic. Town staff gave a break in service of water meter replacements due to the pandemic, but started back up installing water meters as possible a couple weeks ago. Staff has knocked off 2 water meter installs per day, with about 47 left. Two houses are unable to get to, and it was decided that those homes will be fined, because if the water meter broke, staff would have to get to it.

TYLER CONTENT MANAGER – PAPER FINANCIAL SOFTWARE PURCHASE: The Town Finance Officer reported that this agenda item was brought before the Board at an earlier meeting, but due to the COVID-19 pandemic and the uncertain economic conditions, the Board had decided to wait on the purchase of paper financial software purchase. It has been decided that in light of the pandemic, the Board understands the importance of eliminating paper and eliminating waste. There was some minor discussion of the agenda item, but it was decided that this agenda item should be presented to the Board during the meeting of Monday, July 6th so that the Board may take action and vote to purchase this cost-saving software that will improve the Town's electronic records.

PURCHASING POLICY – REVISED POLICY: The Town Finance Officer reported that the purchasing policy was last updated in 2015 and is one of the items that was needed to be improved upon, as directed from the auditors. The Board has to approve changes in the purchasing policy, but if the Town Board is OK with the changes and languages, staff will modify the written document: omitting the strikethrough words and will have on the agenda at the Town Board meeting of July 6th. There was some discussion of editing Clerk-Treasurer, Clerk, Clerk/Treasurer to simply administrator. There was some discussion of the advantages and disadvantages. This is something larger municipalities have implemented.

Electronic Transfer Funds Policy – Adopt: This was part of what the auditor had mentioned that the Township adopt a new electronic transfer funds policy which will properly transfer funds from retirement/pension plans, bonds, etc. The Town Clerk, Finance Officer, Financial Analyst, and Accounting Clerk will discuss duties and draw something up for the Board to approve on July 6th.

FOOD SHELF COMMUNITY OUTREACH: Town Board Supervisor McCune reported that he wanted to get the Board's thoughts on reaching out to the community through some communication forum to encourage use of the food shelf as needed during these unprecedented times. The food shelf has seen more traffic during these times, but also a lot of support and donations. There was some discussion of how staff would get the word out, either via electronic communication or in the utility bills. It was decided that the Town Clerk will implement this communication in the *News & Views* section of the *White Bear Press* two times, one month apart, and via word of mouth.

HOCKEY DAY MINNESOTA – UPDATE: The Town Planner reported that staff is putting together a resolution of support to send to Corey that will fill in the blanks, as a simple event permit. The Town Attorney had no problems with the permit, as it is "non-binding" and will be approved at next meeting.

MINUTES
TOWN BOARD EXECUTIVE MEETING
MAY 22, 2020

ROSEVILLE METRO I-NET MEMBER MEETING INFORMATION – DISCUSS: The Town Clerk reported that this agenda item is just for the Town Board to think about. Roseville Metro I-Net has been providing service to the Township and other municipalities for some time. Recently, Metro I-Net is looking to become a separate entity. There was some discussion of whether a representative from I-Net should come discuss this with the Board. It was decided that they have been a good vendor for the Town, providing affordable work, and staff understands the situation as is. If anything changes, this agenda item can be brought before the Board again. Staff will draft up a formal resolution for the meeting of Monday, July 20th.

GROUND WATER POSITION STATEMENT – DISCUSS: Town Board Supervisor Ruzek introduced this agenda item, with the desire to ensure that the Town is doing everything possible to make sure any water quality/air quality considerations, that the Township is held harmless in any future discussion or litigation, and that Water Gremlin is held responsible. There was some discussion of whether VLAWMO should be present. It was decided that for now Supervisor Ruzek, Public Works Director, Clerk-Treasurer, Town Engineers, and the Town Attorney will put something together.

2561 BLUE BILL CIRCLE – GRAD PARTY USE OF CUL-DE-SAC: The Town Clerk reported that the Town receives these requests every year, and there have been no problems. Of course if the Governor changes the guidelines the grad party will be cancelled. The tent will be weighted, not staked. That note will be added on the approval. This agenda item will be on the Town Board's consent agenda on Monday, July 6th.

PUBLIC WORKS DIRECTOR REPORT: The Public Works Director was present to report on Public Works Department activity for June of 2020. He noted that the first **Safety Training** was held via Zoom, which was different and new. It was held in the lunch room which allowed for social distancing. Hugo and the Township were present. **Fire hydrant painting** went well. Staff noted that they looked nice. Staff will cover them again this winter since covering went well last winter. He noted some **utility repairs** downtown: cleaning culverts, cleaning ditch of trees east of Division Street (MCES easement). There was some discussion of some drainage issues of which the Public Works Director wanted to make the Board aware. A private service line on Hobe Court East had some issues. There was also a service connection issue on Redlin Electric's property. There was discussion of these issues and Reed gave the back story.

CODE ENFORCEMENT OFFICER / BUILDING INSPECTOR REPORT: **5456 Township Drive:** The Town Attorney noted that he has everything in place for the rental ordinance that he will present to the Board and Town staff. It is one strike and you are out. The Building Inspector will be present at the July 6th Town Board meeting. It was noted that the renters of 5456 Township Drive property are moving out by July 15th. The neighbors have said the back yard is full of junk. Johnson noted that the accusation that resident Chuck Mason had made about the trampoline being a safety hazard was inaccurate. While the trampoline hasn't been used for a considerable amount of time, there are no rips, the frame is structurally sound, and there is a safety net. Town staff will make sure any new renters at 5456 Township Drive sign a new rental agreement with the Township.

**MINUTES
TOWN BOARD EXECUTIVE MEETING
MAY 22, 2020**

5305 West Bald Eagle Boulevard: The Town Clerk forwarded emails to the Board and this agenda item will be at the July 6th Town Board meeting. The Sheriff's Office will have presence as well. He wanted to caution the Board that there are several open investigations on the property and the residents for illegal activity. Included in the informational handout, was a packet of calls on this property to the Ramsey County Sheriff's Department in the last year. Residents will be at the Town Board meeting on the 6th looking for action: wanting change, wanting the Town to potentially kick the owner out. While there may be illegal activity going on in a house, the Town has no ability to kick a resident out of his or her house. The Town can abate the property, but once whichever abatement has been fixed, the abatement disappears. The Town can submit it to the courts and notify residents, but the Town cannot kick a resident out of his or her house.

The Town Building Inspector is dealing with mainly one neighbor. It was decided that the owner of the home should be notified of the public hearing on Monday, July 6th. The Town is working to ensure civil action for the new ordinance, but anything criminal is up to the courts. There was some discussion of how the meeting should go on the 6th. First the Town Building Inspector would present findings, then the Ramsey County Sheriff's representative, then residents. The residents should be timed between 2 and 3 minutes, and asked not to repeat what was last said.

1378 South Birch Lake Boulevard: The Building Inspector reported that the water service froze last year and the Town turned off the water. The Town had declared the property vacant and the yard hasn't been cut all year. On June 23rd the Town cut the grass and sent bill to owner. Staff haven't been able to contact him very well, though this time they have the correct guy now; last year there was some fraud found in someone posing to be the owner of the property. Town staff will send new abatement order every couple of weeks. Staff doesn't want this to be another Stillwater Street situation. All the Town can do is force the owner to bring the house up to code and get the grass cut, but it can't force non-vacancy. The Town Attorney will draft a letter to send to the owner and attorney.

CLERK-TREASURER REPORT: DNR Groundwater Management – Update: There are no new updates. There was some brief discussion that a firm from Mahtomedi and Stillwater has been checking in on the case. There has been no news. There was some discussion on a public trust doctrine, but this wouldn't change the overall decision of the case. The Board will be updated as soon as there is a break in the case.

Clean-Up Day Overview: The Town Clerk reported that Republic pulled 15 tons of trash from the premise of the event, which is 13 tons more than last year. Republic will let the Town know total costs. The event went well; the plan works. Four people were turned away due to having a license outside of the Township. Fifty cars showed at 9 a.m. and sat through the line the entire time. Eight Republic trucks came in and out, which took 15 minutes each time. There were 5 complaints on timing, 1 person didn't get in. There will be some discussion of whether the Town should offer this amenity at all, or create 2 events, or what. The Utility Commission will look at the numbers, and staff will be in touch with Bev Mathiasen from Republic to attend either in person or via phone call.

MINUTES
TOWN BOARD EXECUTIVE MEETING
MAY 22, 2020

OPEN TIME: No one was present for open time.

ADDED AGENDA ITEMS: Township Day/Movie in the Park: Lisa Beecroft was present via phone call to discuss this agenda item with the Board. She noted that she has been in contact with the Park Board, and most recently they had talked about having a smaller event, keeping an eye on everything. First of all, the event will have to comply with the Governor's orders, which can hold events up to 250 people outdoors. Beecroft has been looking into ways to protect people at the event, but Public Safety doesn't want to police social distancing, and the small staff of the Township would be stretched already. The Movies in the Park will go well: she is not worried about the size. Typically between 100 and 150 people show up, plus there is ample room to spread out.

There was some discussion on a drop dead date of which the Board would have to decide: August 1st was decided. The Park Board felt the Town Board should make the decision. Beecroft and the Town Planner looked at the financial schedule and the Town won't be out much if the event is cancelled. The Town Attorney noted that the next update from the Governor will be July 1st. What the Township would have to do would be to have a counter at the entrance, which would be impossible. There was some discussion on what the 250 people limit actually meant, like 250 people spread out over half of an acre or 10 acres. The Township has a lot of space. It was decided that the Board would like to monitor events and any spikes after the 4th of July: see what the impacts are mid/late July and make a decision at the July 20th Town Board meeting.

1728 County Road H-2 – Parking Request: The Town Clerk reported that this agenda item is similar to the cul-de-sac graduation party request. Staff is looking for Board consensus, and if so will have the approval on the consent agenda at the Town Board meeting on July 6th. There was some discussion on Ramsey County's street improvements. Tony Schrempp has taken a position with Hennepin County, so Ramsey County has been understaffed. Town staff will reach out and get more information on their schedule. The Board decided that the approval should be contingent upon Ramsey County's construction and a decision will be made on the 6th.

Mission Statement Revision: One email from a resident requesting the Town put together a task force to look at racial inequality within the Township brought forth concern from staff. Staff isn't big enough to have a task force for this, but it was decided to revise the mission statement. The City of White Bear has a task force, and it was decided that the Town can appoint a staff member to sit as a representative on the City's task force.

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

McCune moved to adjourn the meeting at 12:42 p.m. Ruzek seconded. Ayes all.

Respectfully Submitted,

Megan R. Cavanaugh



**Town Board Executive Meeting
July 24, 2020**

Agenda Number:

**Subject: Ramsey County Presentation – County
Representatives to Attend**

Documentation:

Action / Motion for Consideration:



Town Board Executive Meeting July 24, 2020

Agenda Number: 4

Subject: 2020 Street Improvements - Update

Documentation: None

Action / Motion for Consideration:

Report at Meeting / Discuss

Minutes
Town Board Meeting
June 26, 2020

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and pavement. It was briefly noted that the contractors have had to relocate some mailboxes due to tight conditions, but the process is still positive and on schedule.

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**Town Board Executive Meeting
July 24, 2020**

Agenda Number: 5

Subject: Stable Property Feasibility Report - Update

Documentation: None

Action / Motion for Consideration:

Report at Meeting / Discuss



Town Board Executive Meeting July 24, 2020

Agenda Number: 6

Subject: Water System Improvements - Update

Documentation: None

Action / Motion for Consideration:

Report at Meeting / Discuss

Minutes
Executive Meeting
June 26, 2020

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Town Board Executive Meeting July 24, 2020

Agenda Number: 7

Subject: I & I – Update

Documentation: None

Action / Motion for Consideration:

Report at Meeting / Discuss

Minutes
Executive Meeting
June 26, 2020

I & I – UPDATE: The Public Works Director reported that staff has identified a sewer line on Otter Lake Road that needs to be off set. Staff received a quote and reviewed it. As it turns out, the project needs some enhancing, so staff is getting more quotes. The price will be around \$16,000 for repair and bids will be brought to the Board once ready.

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Town Board Executive Meeting July 24, 2020

Agenda Number: 8

Subject: Ordinance No. 47 Amendments - Rentals

Documentation: Town Attorney Suggestions

Action / Motion for Consideration:

Report at Meeting / Discuss

Ordinance No. 47 (Sections recommended for amendment are highlighted & Section
Section 11 11 would be new)

SECTION 11. LICENSING OF RENTAL UNITS. From and after January 1, 1978, no person shall operate a rental dwelling without first having obtained a license to do so from the Town of White Bear as hereinafter provided. All rental licenses shall expire on December 31, 2001, thereafter every two years. Licenses which have less than one year remaining on this term shall pay one-half of the license fee.

11-1. LICENSE FEES. The following license fees shall be due 60 days prior to the license expiration date; in the cases of new unlicensed dwellings, license fees shall be due upon issuance of the certificate of occupancy; in the cases of licensing periods of less than two years, license fees shall be prorated monthly:

11-1.1. For each single family dwelling rented, the license fee shall be as set forth in Ordinance No. 54 (Fees & Charges).

11-1.2. For the first unit rented within a two-family dwelling, the license fee shall be as set forth in Ordinance No. 54 (Fees & Charges), and for the second unit as set forth in Ordinance No. 54 (Fees & Charges).

11-1.3. For each multiple family dwelling, the license fee shall be as set forth in Ordinance No. 54 (Fees & Charges) per building, plus an amount per dwelling unit as set forth in Ordinance No. 54 (Fees & Charges).

A delinquency penalty of 5% of the license fee for each day of operation without a valid license shall be charged operators of rental dwellings. Once issued, a license is nontransferable and the licensee shall not be entitled to a refund of any license fee upon revocation or suspension.

11-2. OWNER OR AGENT TO APPLY. License application or renewal shall be made by the owner of rental units or his legally constituted agent. Application forms may be acquired from and subsequently filed with the Code Enforcement Officer. The applicant shall supply:

11-2.1. Name, address, and telephone number of dwelling owner, owning partners if a partnership, corporate officers if a corporation.

11-2.2. Name, address, and telephone number of designated resident agent, if any.

11-2.3. Name, address and telephone number of vendee, if the dwelling is being sold through a contract for deed.

11-2.4. Legal address of the dwelling.

11-2.5. Number of dwelling units within the dwelling.

11-2.6. Description of procedure through which tenant inquiries and complaints are to be processed.

11-3. RESIDENT AGENT REQUIRED. No operating license shall be issued or renewed for a non-resident owner of rental dwelling units (one who does not reside in any of the following Minnesota Counties: Hennepin, Ramsey, Anoka, Carver, Dakota, Scott, or Washington) unless such owner designates in writing to the Code Enforcement Officer the name of his resident agent (one who does reside in any of the following Minnesota Counties: Hennepin, Ramsey, Anoka, Carver, Dakota, Scott, or Washington) who is responsible for maintenance and upkeep and who is legally constituted and empowered to receive service of notice of violation of the provisions of the Town Ordinance, to receive orders and to institute remedial action to effect such orders and to accept all service or process pursuant to law. The Code Enforcement Officer shall be notified in writing of any change of resident agent.

11-4. CONFORMANCE TO LAWS. No operating license shall be issued or renewed unless the rental dwelling and its premises conform to the Ordinances of the Town of White Bear and the laws of the State of Minnesota.

11-5. INSPECTION CONDITION. No operating license shall be issued or renewed unless the owner of rental units agrees in his application to permit inspections pursuant to Section 11.

11-6. POSTING OF LICENSE. Every licensee of a multiple dwelling shall cause to be conspicuously posted in the main entry way or other conspicuous location therein the current license for the respective multiple dwelling.

11-7. LICENSE NOT TRANSFERABLE. No operating license shall be transferable to another person or to another rental dwelling. Every person holding an operating license shall give notice in writing to the Code Enforcement Officer within 72 hours after having legally transferred or otherwise disposed of the legal control of any licensed rental dwelling. Such notice shall include the name and address of the person succeeding to the ownership or control of such rental dwelling or dwellings.

11-8. OCCUPANCY REGISTER REQUIRED. Every owner of a licensed rental dwelling containing three or more dwelling units shall keep, or cause to be kept, a current register of occupancy for each dwelling unit which provides the following information:

11-8.1. Dwelling unit address.

11-8.2. Number of bedrooms in dwelling unit.

11-8.3. Names of adult occupants and number of adults and children (under 18 years of age) currently occupying the dwelling units.

11-8.4. Dates renters occupied and vacated dwelling units.

11-8.5. A chronological list of complaints and request for repair by dwelling unit occupants, which complaints and requests are related to the provisions of this Ordinance, and

11-8.6. A similar chronological list of all corrections made in response to such requests and complaints.

Such register shall be made available for viewing or copying by the Code Enforcement Officer at all reasonable times.

11-9. LICENSE SUSPENSION OR REVOCATION. Every operating license issued under the provisions of this Ordinance is subject to suspension or revocation by the Town Board should the licensed owner or his duly authorized resident agent fail to operate or maintain licensed rental dwellings and units therein consistent with the provisions of the Ordinances of the Town of White Bear and the laws of the State of Minnesota. In the event that an operating license is suspended or revoked by the Town Board for just cause, it shall be unlawful for the owner of his duly authorized agent to thereafter permit any new occupancies of vacant or thereafter vacated rental units until such time as valid operating license may be restored by the Town Board. Any person violating this provision shall be guilty of a violation of this Ordinance.

RENTAL PROPERTY ENFORCEMENT

11-4. Conformance To Laws

No operating license shall be issued or renewed unless the rental dwelling and its premises conform to the ordinances of the Town of White Bear and the laws of the State of Minnesota.

In addition, the following minimum standards and conditions shall be met in order to hold an operating license under the ordinances of the Town of White Bear. Failure to comply with any of these standards and conditions shall be adequate grounds for denial, non-renewal, suspension or revocation of a rental license issued under the provisions of this ordinance:

1. The owner shall have paid the required license fee;
2. The rental dwelling units shall not exceed the maximum number of units permitted under White Bear Ordinances No. 3547;
3. No rental dwelling or rental dwelling unit shall be over occupied or illegally occupied in violation of Ordinance 47 or applicable Minnesota statutes;
4. The owner shall not allow the dwelling or dwelling unit to violate any standard set forth in Section 9 of this Ordinance;
5. The owner shall be in full compliance with the provisions of Section 12 of this Ordinance;
6. The rental dwelling or rental dwelling unit shall not be found by the Code Enforcement Officer to be in violation of any provision of Section 13 of this Ordinance;
7. The owner shall be in full compliance with the provision of Section 11-8 of this Ordinance;
8. The owner shall allow the Code Enforcement Officer to inspect the dwelling or dwelling units as allowed under Section 12-1 of this Ordinance; and
9. The owner shall not have any unpaid fees or fines owing the Town as related to the dwelling or dwelling unit.

11-9. License Suspension or Revocation

Every operating license issued under the provisions of this Ordinance is subject to suspension or revocation by the Town Board shall the license owner or its duly authorized resident agent fail to operate or maintain the license rental dwelling and units, therein, consistent with the provisions of the Ordinances of the Town of White Bear and the laws of the State of Minnesota.

~~In the event that an operating license is suspended or revoked by the Town Board for just cause, it shall be unlawful for the owner or its duly authorized agent to permit any new occupancy of vacant or vacated rental units until such a time as valid operating license maybe restored by the Town Board.~~

Any person violating this provision shall be guilty of a violation of this Ordinance.

If the Code Enforcement Officer determines that a dwelling or dwelling unit fails to meet the standards set forth in Section 11-9 of this Ordinance, the Code Enforcement Officer shall mail a deficiency notice to the owner or its duly authorized resident agent. The notice shall identify the reasons why the dwelling or dwelling unit failed to meet the standards. The notice shall set a date by which all deficiencies must be cured. The date of cure shall not be less than twenty-one days from the date of the notice no more than forty days from the date of the notice. It shall also set a date for reinspection.

If upon reinspection all deficiencies have not been cured a second deficiency notice shall be sent to the owner or the owners duly authorized resident agent. The owner shall have ten days from the date of the second deficiency notice to correct those deficiencies noted thereon. The second deficiency notice shall also set a date for reinspection, which shall not be more than fifteen days from the date of the notice.

Upon failure to satisfy the second deficiency notice. The dwelling or dwelling unit, rental license shall be subject to an action for denial, suspension, non-renewal or revocation.

Action for denial, suspension, non-renewal or revocation may also occur if a dwelling or dwelling unit has received two separate deficiency notices during any consecutive twelve month period.

11-11 an action for denial, suspension, non-renewal or revocation shall be commenced by the Code Enforcement Officer sending the owner or the owners duly authorized resident agent a notice of denial, suspension, non-renewal or revocation. The notice shall state:

- a) That the Code Enforcement Officer has determined that the dwelling or dwelling unit has failed to meet the standards set forth in Section 11-4;
- b) Identify the specific failure of said standard and why those standards have not been satisfied;
- c) Efforts by the Code Enforcement Officer to seek compliance with the standards;
- d) That the Code Enforcement Officer has referred the matter to the Town Board for a hearing into the matter;
- e) The date for the hearing the Town Board has been set for the date of the hearing.

Upon receipt of the notice the Town Board shall set a date for the hearing. The date shall be at least twenty-one days from the date of the notice, described in this Section 11-11, has been deposited in the United States mail.

At the hearing the owner shall be allowed to present all relevant evidence and arguments. Upon closing of the hearing the Town Board shall determine the proper remedy. The remedy may include license denial, suspension, non-renewal or revocation. If the Town Board decides to grant additional time to cure the deficiency it shall identify the remaining deficiencies and set forth the additional time to cure said deficiencies. Cure shall be determined by the Code Enforcement Officer. Failure to cure within the time allowed shall result in automatic denial,

suspension, non-renewal or revocation of the license as originally determined by the Town Board.

If a license is denied, suspended, not renewed or revoked under provisions of this Ordinance all rights to occupy the dwelling or dwelling unit shall immediately terminate. Notice of such denial, suspension, non-renewal or revocation shall be mailed to each tenant. The notice shall identify the dwelling or dwelling unit to be vacated and state the date the tenant must vacate the dwelling or dwelling unit.

11-2 if a license for a dwelling or dwelling unit has been denied, not renewed, suspended or revoked, the owner shall have a right to reapply for an operating license. Before any reapplication is accepted the Code Enforcement Officer must inspect the dwelling or dwelling unit and find that the dwelling or dwelling unit now satisfies the standards set forth in Section 11-9. In no event may an owner reapply for a license within six months of the decision by the Town Board to deny, non-renewal or revoke the previous license.



**Town Board Executive Meeting
July 24, 2020**

Agenda Number: 9

Subject: Township Mission Statement - Review

Documentation: None

Action / Motion for Consideration:

Report at Meeting / Discuss

Current Mission Statement:

**White Bear Township's
Mission:**

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



**Town Board Executive Meeting
July 24, 2020**

Agenda Number: 10

Subject: Reschedule September 7th Meeting to September 9th
Due to Holiday

Documentation: Calendar

Action / Motion for Consideration:

Report at Meeting / Discuss

September 2020

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1) Sun		1	2	3 Public Safety Comm	4	5
6	7 Labor Day Holiday	8 EDAB Mtg	9 TB Mtg	10 Utility Comm	11	12
13	14	15	16	17 Park Bd	18	19
20 License Agree Expires 5512 Fisher	14 EDA/TB Mtg 1) Comm Recomm 2) Benson Operation Plan 3)	22	23	24 Planning Comm	25 Exec Mtg 1)DNR 2)Set Employ App. Luncheon	26
27	21 Monthly Fin Rpt 4) Res Rec Twp Day Donations 6) Call Assmt Hrg	29	30			

GIS Agreement with County Expires.



**Town Board Executive Meeting
July 24, 2020**

Agenda Number:

11

Subject:

2021 – 2030 CIP - Review

Documentation:

CIP

Action / Motion for Consideration:

Report at Meeting / Discuss

Review and Discuss Draft Capital Improvement Plan. (TK)

A. REFERENCE AND BACKGROUND:

As part of the 2021 budget process, the staff has developed a 10-year capital improvement plan (CIP). The CIP serves a number of important functions for the Township including a formal mechanism for decision-making, a link to a long-range plan, financial management tool, and a reporting document.

While a CIP requires staff time for its development, implementation, and maintenance, the advantages of a CIP should not be overlooked. Some of the major advantages of a CIP are that a CIP focuses attention on Township goals, needs, and financial capability, a CIP builds public consensus for projects and improves community awareness, a CIP improves inner-/intergovernmental cooperation and communication, a CIP avoids waste of resources, and a CIP helps to ensure financial stability. Bond rating agencies also look favorably on governments having a CIP.

If the CIP is approved the capital items listed as 2021 purchases/projects will be included in the Town's 2021 budget, within the confines of the Town's preliminary levy set at the Annual Town Meeting. Items listed in 2022 through 2030 are planned future purchases/project and can be adjusted in future years before being budgeted. Items adopted in the CIP still must go through normal Township purchasing policies and approvals prior to the purchase or start of the project.

A1. Budget Impact: If approved the items listed in 2021 will be incorporated into the Town's 2021 budget as best we can within the preliminary levy set at the Annual Town Meeting.

A2. Staff Workload Impact: The staff workload has been the development of the CIP. Future impacts would be for items listed in purchasing or projects for 2020 would require staff time to go through the normal Town purchasing procedures and Town Board approval.

B. ALTERNATIVE ACTIONS:

1. Review and discuss draft 2021 - 2030 CIP.

C. STAFF RECOMMENDATION:

At this time, the CIP is a draft only for discussion purposes, however based on discussion, any changes will be inserted into the CIP and a final document will be presented for adoption at the December 21st Board meeting.

D. SUPPORTING DATA:

The draft summary of the 2021 - 2030 Capital Improvement Plan.

EXPENDITURES: Project Name	Page #	Priority Ranking	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Administration												
Replace Computer Servers	12	20.25	10,000					10,000	6,300	6,300		
Replace Desktop Computers & Monitors	13	20.25	6,300			6,300	6,000			6,300	6,000	
Replace Laptop Computers	14	34.25	6,000			7,000	7,000	7,000	7,000	7,000	7,000	7,000
Software Upgrades	15	41.45	7,000		7,000	7,000	7,000					
Replace Document Scanner	16	42.75	4,000		4,000							
Replace/Purchase Office Furniture	17	18.25	10,000	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500
Town Buildings												
Replace/Purchase Cable/AV Equipment	18	18.70	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
Replace Office Chairs	19	28.15	1,200	1,200	1,200		1,200		1,200		1,200	
Replace Administrative Building Entrance Doors	20	36.55	25,000	40,000								
Reroof Administrative Building	21	29.85	30,000	75,000								
HVAC Improvements in the Administration Building	22	44.40	100,000									
Mill & Overlay/Reconst. Admin./PW Bld. Parking Lots	23	29.40			40,000							45,000
Public Safety												
Replace Code Enforcement Vehicle	24	34.85								30,000		
Public Works												
Replace/Purchase Speed Control Signs	25	44.05		30,000								
Replace Trailers	26	34.45	11,000	20,000								
Purchase a Tack Trailer	27											
Replace Tractor	28	31.25			50,000							
Replace Toolcat	29	29.20			80,000							
Replace Skidsteers	30	31.95					65,000					
Replace/Purchase Skidstreet Attachments	31	26.90										
Replace Bobcat Trucks	32	18.10	4,200							4,200		
Replace Brush Chipper	33	33.15						50,000				55,000
Replace Pickup Trucks	34	24.75	55,000	300,000			55,000		55,000			
Replace Single Axle Dump/Plow Trucks	35	28.60							300,000			
Replace Dump/Utility Trucks	36	27.25			140,000							
Replace Loader with Attachments	37											
Purchase Water Tank Truck	38	29.55										150,000
Purchase an Air Driven Post Pounder	39	41.85			6,000							
Small Tools & Equipment	40	Varies	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000
Purchase a Tire Changer/Balancer Machine	41	24.45	28,000									
Purchase Mini Excavator	42	24.55										150,000
Purchase Trackless Machine and Attachments	43	16.05			220,000							
Replacement of Street Sweeper	44	34.65				300,000						

Project Name	Page #	Priority Ranking	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
EXPENDITURES CONTINUED:												
Public Works Continued												
Replacement of Rounds Pickup Truck	45	27.50	95,000					95,000				100,000
Replacement of Asphalt Hot Box	46	34.90			15,000							
Replace Dump Box on 1 Ton Ford Dump Truck	47	33.45			10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
Replace Snow Plow Equipment	48	27.35	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
Purchase/Replace 800 Mghz Radios	49	45.00	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000
Purchase Clam Truck	50	25.80			375,000							
Construct Public Works Staging Area	51	18.25	50,000	500,000						1,500,000		
Public Works Building Remodel	52	29.20	30,000	12,000								
Public Works Garage Door Replacement	53	36.70	30,000									
Road and Bridge												
Replacement of Street Name Signs	54	27.60	55,200	55,200	55,200	55,200	55,200					
Park Maintenance												
Replace Zero Turn Mowers	55	34.65		30,000					30,000			
Purchase Large Pull Mower	56	32.30				30,000						
Replace Large Turf Mower	57	25.80	90,000						90,000		30,000	45,000
Purchase Ballfield Grooming Machine	58	29.25										
Replace Rough Terrain Vehicle (RTV)	59	28.75	45,000									
Purchase Hydro Seeder	60	25.05	6,000									
Purchase Litter Picker	61			30,000								
Park Improvement Fund												
Replace Playground Equipment at Birch Park	62	28.25						100,000	100,000			
Replace Playground Equipment at Four Seasons Park	63	28.25									100,000	
Replace Playground Equipment at Fox Meadow Park	64	28.25								3,500	3,500	3,500
Replace Various Park Signs	65	27.35	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500
Rehabilitation of Four Seasons Tennis Court	66	41.50	100,000									
Bellaire Beach Improvements	67	17.05	60,000	70,000								
Rebuild Bellaire Park Tennis Courts/Inline Skate Area	68	29.30						70,000				
Columbia Park Parking Lot Replacement	69	27.90	250,000									
Park Trail Sealcoating	70	20.95							60,000			
Park Trail Rehabilitation	71		70,000	100,000	70,000	100,000	100,000					
Polar Lakes Park Parking Lot Pavement Rehabilitation	72		100,000					80,000				
Replace Playground Equipment at Manor Park	73	26.15										
Replace Playground Equipment at Columbia Park	74	28.40					90,000					
Improve Playground Area/Surface at Columbia Park	75	53.10										
Replace Picnic Tables	76	28.40	15,000	15,000	15,000							
Replace Playground Equipment at Mead Park	77	28.40			90,000							
Replace Playground Equipment at Otter Park	78	33.80				5,000						
Replace Summit Lane Dock	79	33.80					40,000					
Replace Red Pine Park Boardwalk												

EXPENDITURES CONTINUED:		2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Project Name	Priority Ranking										
Park Acquisition Fund											
Purchase Garley Land for Future Park	80	38.95	200,000								
Bald Eagle Trail Development	81	33.30	100,000								
Bruce Vento Trail Development	82	31.80	100,000								
Buffalo Street Trail Development	83	33.30	150,000								
Centerville Road Trail Development/Reconstruct	84	33.30		300,000							
County Road H2 Trail Development	85	33.30		110,000		500,000					
Fox Meadow Park Trail Development	86	33.30				55,000					
Brandlewood Park Trail Development	87	33.30									
Rutherford Park/Lake Links Trail Development	88	33.30	110,000								
Community (Polar Lakes) Park Fund											
Baseball Field Improvements	89	27.15	30,000	30,000		50,000					
Purchase Lighting for Lower Soccer Field	90	29.35									
Construct Exercise Court/Area	91	27.15		125,000				400,000			
Grandstand Construction	92	15.50									
Replace Ball Field Lighting with LED Lights	93	47.40	200,000			25,000					
Purchase a Scoreboard for Lower Soccer Field	94	29.20				75,000					
Purchase Baseball Field Scoreboards	95	20.40	15,000								
Replace Dugout Roofs	96	24.70	150,000							200,000	
Polar Lakes Park Plaza Construction	97	31.55						3,000			
Repair/Replace Signs	98	27.35					51,000	51,000	51,000	51,000	51,000
General Polar Lakes Park Improvements	99	23.20	51,000	51,000	51,000	51,000	51,000				
Construct Amphitheatre/Band Shell	100	24.40	500,000								
Parking Lot Expansion	101	38.45	200,000								
Replace Playground Equipment	102	28.40	250,000								
Improvement Fund											
Road Mill and Overlay/Reconstruction Projects	103	36.20	1,151,824	3,435,493	1,579,000	1,925,000	1,770,000	2,055,000	2,055,000	2,055,000	2,055,000
Sealcoat Projects	104	36.95	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000
Annual Curb Repair and Replacement	105	38.30	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
Water Fund											
Well Pumphouse Improvements	106	30.35	6,500	6,500	6,500	6,500	6,500	6,500	6,500	6,500	6,500
Water Quality Improvement Projects	107	49.25	1,500,000				10,000,000				
Hydrant Rehabilitation	108	41.25	30,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000
Well Pump Rehabilitation	109	37.85	60,000	60,000	35,000			50,000	60,000		
GIS Integration of Township Infrastructure	110	30.35	250,000	25,000							

EXPENDITURES CONTINUED:		2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Project Name	Page #	Priority Ranking									
Sewer Fund											
Replace Jet/Vac Truck	111	56.55	520,000								
Sanitary Sewer Lining Project	112	35.30		1,500,000							
Sanitary Sewer Infiltration Prevention Projects	113	46.40	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000
Sanitary Sewer Manhole Grouting	114	33.80	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
Storm Water Utility Fund											
South Area Storm Water Improvements	115	28.20	500,000								
Replacement of Storm Water Culverts	116	29.30	35,000	35,000	35,000	35,000	35,000	35,000	35,000	35,000	35,000
Storm Water Structure Repairs	117	36.75	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000
Pond/Ditch Cleaning	118	36.75	210,000	200,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000
Stillwater Street Drainage Improvements	119	31.35									500,000
Beaver Street Drainage Improvements	120	31.35		25,000							
Allendale Drive Ditch Cleaning	121	31.35	60,000								
Pioneer Lane Ditch Cleaning	122	31.35	75,000								
Lake and Overlake Avenue Drainage Pipe	123	41.20	40,000								
Otterview Trail Drainage Improvements	124	31.35			35,000						
Birch Road Drainage Improvements	125	35.45	30,000								

Total Expenditures 6,122,424 7,331,493 5,422,900 3,104,000 3,859,900 13,102,500 3,943,000 4,298,000 3,124,700 3,592,500

General Fund - Road & Bridge	55,200	80,200	55,200	55,200	55,200	55,200	0	0	0	0	0
General Fund - Park & Rec	0	0	0	0	0	0	0	0	0	0	0
Park Acquisition Fund	210,000	450,000	260,000	0	555,000	0	0	0	0	0	0
New Debt Service Funds	1,151,824	3,435,493	1,579,000	1,925,000	1,770,000	2,055,000	2,055,000	2,055,000	2,055,000	2,055,000	2,055,000
Improvement Funds	160,000	160,000	160,000	160,000	160,000	160,000	160,000	160,000	160,000	160,000	160,000
Special Assessments	250,000	0	1,005,000	0	0	0	0	0	0	0	0
Community Park Improvement Fund	681,000	796,000	176,000	51,000	201,000	51,000	454,000	51,000	251,000	51,000	51,000
Park Improvement Fund	598,500	188,500	328,500	108,500	233,500	253,500	163,500	3,500	193,500	3,500	3,500
Water Fund	1,636,500	71,500	11,500	46,500	11,500	10,011,500	61,500	71,500	11,500	11,500	11,500
Sewer Fund	160,000	60,000	555,000	60,000	60,000	60,000	60,000	60,000	60,000	60,000	60,000
Storm Water Utility Fund	565,000	390,000	280,000	340,000	305,000	305,000	305,000	305,000	305,000	305,000	805,000
Capital Building Fund	235,000	627,000	0	0	0	0	0	1,500,000	0	0	0
Capital Equipment Fund	407,400	977,800	944,700	357,800	491,700	204,500	667,000	92,000	88,700	444,500	444,500
Trade-In/Salvage Value	12,000	95,000	38,000	0	17,000	2,000	17,000	0	0	0	2,000
Grants	0	0	30,000	0	0	0	0	0	0	0	0

Total Revenue Sources 6,122,424 7,331,493 5,422,900 3,104,000 3,859,900 13,102,500 3,943,000 4,298,000 3,124,700 3,592,500



**Town Board Executive Meeting
July 24, 2020**

Agenda Number: 12

Subject: Public Works Director Report

Documentation: None

Action / Motion for Consideration:

Report at Meeting / Discuss



**Town Board Executive Meeting
July 24, 2020**

Agenda Number: 13.a.

Code Enforcement Officer / Building Inspector Report:

Subject: 5456 Township Drive

Documentation: Abatement Order

Action / Motion for Consideration:

Report at Meeting / Discuss

**Minutes
Executive Meeting
June 26, 2020**

5456 Township Drive: The Town Attorney noted that he has everything in place for the rental ordinance that he will present to the Board and Town staff. It is one strike and you are out. The Building Inspector will be present at the July 6th Town Board meeting. It was noted that the renters of 5456 Township Drive property are moving out by July 15th. The neighbors have said the back yard is full of junk. Johnson noted that the accusation that resident Chuck Mason had made about the trampoline being a safety hazard was inaccurate. While the trampoline hasn't been used for a considerable amount of time, there are no rips, the frame is structurally sound, and there is a safety net. Town staff will make sure any new renters at 5456 Township Drive sign a new rental agreement with the Township.



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

Abatement Order

July 16, 2020

James Wung & Anthonia Kum
1981 Campbell Circle
White Bear Lake, MN 55110-6642

Dear Mr. Wung,

As the owner of the property located at 5456 Township Drive, White Bear Township, MN, you are hereby notified that an inspection of your property has been performed by a duly appointed officer of White Bear Township. The officer has documented several violations to Township Ordinance No. 16 and Township Ordinance No. 47.

These conditions represent a public nuisance under Township Ordinance No. 16, Section 4-4.15. The following actions must be taken on the exterior of the property by July 31, 2020:

- Removal of all personal property including but not limited to: exercise equipment, umbrella and umbrella stand, two wheel dolly, children's toy car, children's toy slide, children's toy basketball hoop, children's toy chairs, children's toy jeep, vehicle hood, tires, trailer hitch, vehicle engine and transmission, two garbage cans, lawn mower, lawn mower bag, wheel barrel, battery, bags of trash, trash containers, stainless steel kitchen pot, two full size basketball hoops, three satellite dishes.
- Yard maintenance cut the overgrown yard and removal of leaves and overgrown vegetation.

The property owner or responsible party may appeal the abatement order by requesting a hearing before the Legislative Hearing Officer. This request shall be submitted to the Town Clerk in writing and prior to the abatement deadline or seven calendar days after the date of the abatement order, whichever comes first.

Failure to abate the nuisance or submittal of a written request for public hearing shall cause the Township to exercise its right to abate said nuisance and recover such abatement costs plus an additional 25% of such costs. These costs shall be assessed as a special assessment against the property.

Respectfully,

Mike Johnson
Building Official/Code Enforcement Officer

Cc: James Wung - 2736 Lyndale Ave S Suite 204, Minneapolis, MN 55408
Current Occupant



recycled paper



**Town Board Executive Meeting
July 24, 2020**

Agenda Number: 13.b.

Code Enforcement Officer / Building Inspector Report:

Subject: 1647 Park Avenue

Documentation: Two Correction Notices

Action / Motion for Consideration:

Report at Meeting / Discuss



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

June 24, 2020

Juan Gabriel Hernandez
1647 Park Avenue
White Bear Township, MN 55110

Dear Mr. Hernandez,

It has come to the Township's attention that a roof structure has been constructed on the west side of your accessory structure without the proper building permit. Any persons building any permanent structures within the Township must first obtain a building permit and meet all applicable building and zoning codes.

The roof structure in question appears to be constructed with no setback to the side property line and the new structure. All new structures built in the Township must meet the required 10-foot setbacks to side property lines.

I see no other alternative but to have the roof structure removed. Please contact me upon removal of the unpermitted construction.

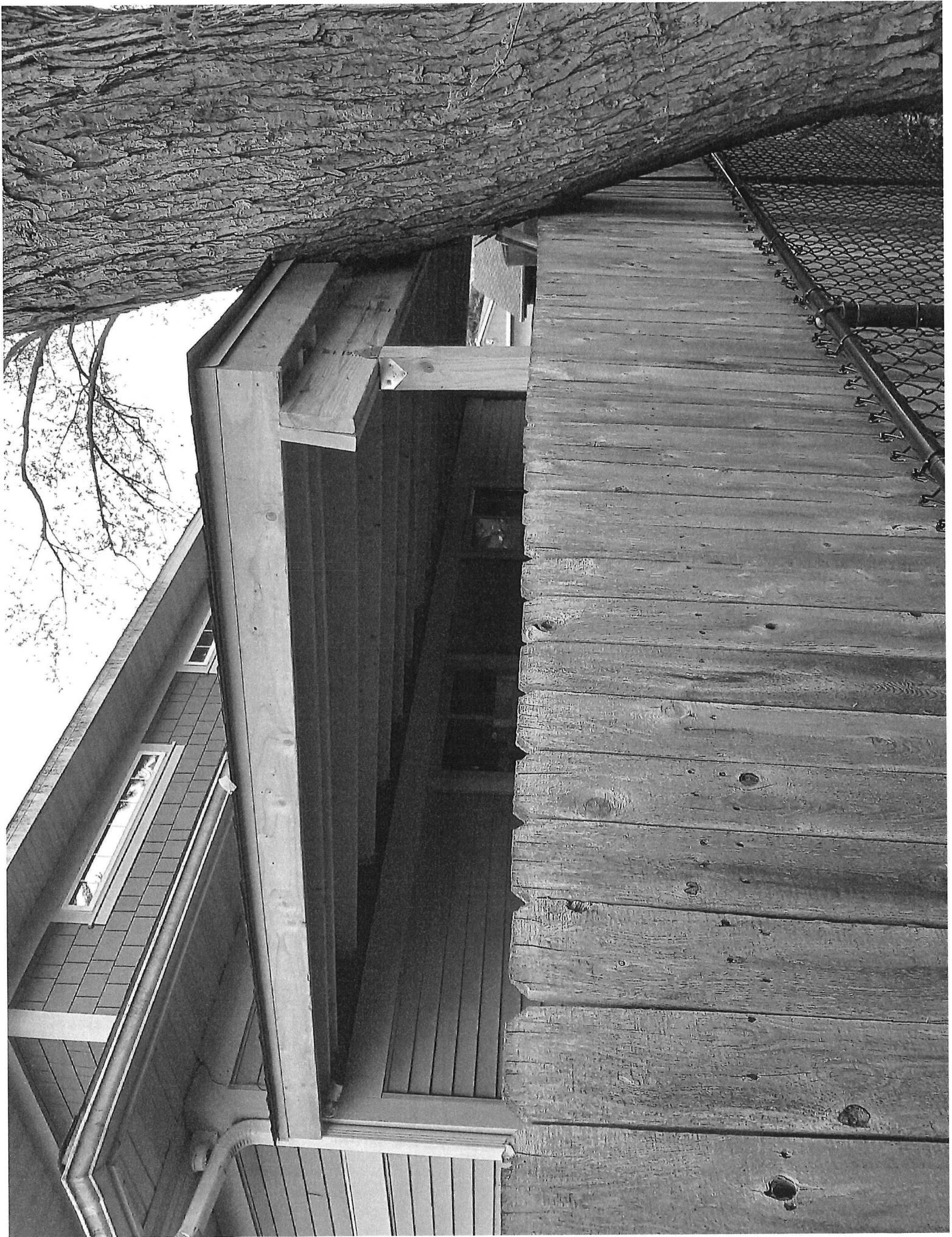
Respectfully,

Mike Johnson
Building Official



recycled paper





Mike Johnson

From: [REDACTED]
Sent: Sunday, July 5, 2020 9:56 PM
To: Mike Johnson
Subject: Neighbor's: newly built garage extension(lean-to)
Attachments: 20200503_201605.jpg; 20200503_201546.jpg

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

MEMO

Date: July 5th, 2020

From: [REDACTED]
[REDACTED]
White Bear Lake, MN 55110

To: Mike Johnson
Building Inspector White Bear Township

Subject: East Neighbor's: newly built garage extension (lean-to) removal status

This email is in reference to our complaint regarding the construction of a lean-to attachment to an existing permanent garage at the rear of the property directly to the East of our property. By way of reminder, I first saw the lean-to around May 2, 2020 and notified you the next day, or maybe a day or two later about my concerns. When I called you again around the middle of the month I believe that you told me that you had been out to look at this addition but could not see it very well from the fence line. At the time of that call you asked permission to come on our property to see it and I said that that would be fine. We met up that day or the next and from my property you inspected the lean-to of the neighbors garage which comes right to the property line.. At that time you indicated to me that the lean-to structure should not be there and that you would be writing this neighbor a letter. I assume you asked them to remove the newly built garage extension (lean-to) because it is a permanent structure within 10 feet of the property line, a building code violation.

I realize that the removal of our neighbor's lean-to might involve some time and persuasion, but now it has been about a month and a half since you last inspected the lean-to.

The lean-to structure is still there, and there does not seem to have been any effort made by our neighbor to remove it. I would appreciate knowing the following:

- 1.) What is the next step is in resolving this issue.
- 2.) The current status as to your progress in getting it removed.
- 3.) Is there something else we should be doing legally or paperwork wise to bring this to a speedier conclusion?
- 4.) I would also like to know how much time you allow for people to correct situations such as this?
- 5.) And what happens if in the end the neighbor does not comply?

I know you are very busy and have a demanding job, and I do not want to be a pest, but I do not want this to slip by month after month with no resolution. I realize you must have a process and if you

could please answer my questions I think it would help both of us in bringing this issue to a more timely conclusion.

I have attached a couple of pictures that I took May 3..

Thank you again for your time and your effort in this matter.





WHITE BEAR TOWNSHIP

1858
RAMSEY COUNTY
MINNESOTA

1281 HAMMOND ROAD
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651-747-2750

FAX 651-426-2258

Email: wbt@whitebeartownship.org

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

July 16, 2020

CERTIFIED MAIL

2ND NOTICE

Juan Gabriel Hernandez
1647 Park Avenue
White Bear Township, MN 55110

Dear Mr. Hernandez,

It has come to the Township's attention that a roof structure has been constructed on the west side of your accessory structure without the proper building permit. Any persons building any permanent structures within the Township must first obtain a building permit and meet all applicable building and zoning codes.

The roof structure in question appears to be constructed with no setback to the side property line and the new structure. All new structures built in the Township must meet the required 10-foot setbacks to side property lines.

I see no other alternative but to have the roof structure removed. Please contact me upon removal of the unpermitted construction.

Respectfully,

Mike Johnson
Building Official



**Town Board Executive Meeting
July 24, 2020**

Agenda Number: 14.a.

Clerk-Treasurer Report:

Subject: DNR Groundwater Management - Update

Documentation: None

Action / Motion for Consideration:

Report at Meeting / Discuss

**Minutes
Executive Meeting
June 26, 2020**

DNR Groundwater Management – Update: There are no new updates. There was some brief discussion that a firm from Mahtomedi and Stillwater has been checking in on the case. There has been no news. There was some discussion on a public trust doctrine, but this wouldn't change the overall decision of the case. The Board will be updated as soon as there is a break in the case.



**Town Board Executive Meeting
July 24, 2020**

Agenda Number: 14.b.

Clerk-Treasurer Report:

Subject: Discussion-Proposed New/Budgeted Staff Positions

Documentation: None

Action / Motion for Consideration:

Report at Meeting / Discuss



**Town Board Executive Meeting
July 24, 2020**

Agenda Number: 14.c.

Clerk-Treasurer Report:

Subject: Option C – Appointment of Town Administrator -
Discussion

Documentation: Town Attorney Memo / Draft Resolution

Action / Motion for Consideration:

Report at Meeting / Discuss

MEMORANDUM

DATE: June 30, 2020
TO: White Bear Town Board
FROM: Chad D. Lemmons
RE: Town Administrator

Minn. Stat. § 367.30 provides four options under which a Town may conduct business. Presently you operate under Option B which is the appointment of a clerk-treasurer.

Option C allows for appointment of a Town Administrator.

The description of the Town Administrator appears in Minn. Stat. § 367.35. If Option C, Town Administrator is adopted, the Town Board would appoint an Administrator, upon terms it deems advisable. The appointment is for an indefinite period and the Board has the right to remove the Administrator at any time. However, if the Administrator has served for one year the Administrator does have the right to demand written charges and a public hearing before the Board takes the action of removal.

The powers and duties of a Town Administrator set forth in Subd. 2, among those powers is the power to coordinate the various activities of the Town, and with the approval of the Town Board, to exercise the authority and responsibilities assigned by the Town Board pursuant to ordinance or resolution which may include the following:

- (1) to provide for the execution of all ordinances, resolutions, and orders of the board and all laws of the state required to be enforced through the town board;
- (2) to recommend to the town board the appointment, suspension, and removal of all town personnel;
- (3) to provide for town purchases in accordance with statutory procedures;
- (4) to prepare and submit to the town board a proposed annual budget,
- (5) to attend all meetings of the board and recommend measures for adoption as the administrator deems advisable;
- (6) to advise the board as to the financial condition and needs of the town; and
- (7) to perform other assigned ministerial, nondiscretionary duties.

As you can see Patrick and Bill before him, are basically defacto administrators. They carry out all the powers and duties set forth in Subd. 2 with exception of preparing the proposed annual budget. That is presently done by the Town's Chief Financial Officer. However, both Patrick and Bill have played major roles in preparation of the annual budget.

While no one has ever questioned the authority of Patrick or Bill to act on the Board's behalf. You may wish to consider formalizing the powers and duties of the Town's Clerk-Treasurer.

If you do determine that Option C is in the best interest of the Town, that option must be adopted by the Town electors (Town citizens). The question would be placed on the next annual Town election ballot, see Minn. Stat. 367.31 Subd. 1. Minn. Stat. 367.31 Subd. 4 provides the language that should be used for the ballot question.

2019 Minnesota Statutes

367.31 ADOPTION OF SPECIFIC OPTION.

Subdivision 1. **Submission to electors.** Except as provided in subdivision 2, the town board may, and upon a petition signed by electors equal in number to at least 15 percent of the electors voting at the last previous town election shall, submit to the electors at an annual town election the question of adopting option A, B, C, or D.

Subd. 2. **Mandatory submission of option A in urban towns.** The town board of a town exercising the powers of a statutory city pursuant to section 368.01 or a special law granting substantially similar powers shall submit the adoption of option A to the electors at the annual town meeting next following June 3, 1975. The town board of any town that subsequently qualifies under section 368.01 or receives substantially similar powers pursuant to a special law adopted after June 3, 1975, shall submit the adoption of option A to the electors at the annual town election next following the grant of powers.

Subd. 3. **Notice of question.** When the adoption of a specific option is to be voted on at the annual election, the town clerk shall include notice of the question in the notice of the annual election.

Subd. 4. **Election; form of ballot.** The proposals for adoption of the options shall be stated on the ballot substantially as follows:

"Shall option A, providing for a five-member town board of supervisors, be adopted for the government of the town?"

"Shall option B, providing for the appointment of the clerk and treasurer by the town board, be adopted for the government of the town?"

"Shall option C, providing for the appointment of a town administrator by the town board, be adopted for the government of the town?"

"Shall option D, providing for combining the offices of clerk and treasurer, be adopted for the government of the town?"

If a proposal under option B is to appoint only the clerk or only the treasurer, or if it is to appoint the combined clerk-treasurer following the adoption of option D or when submitted simultaneously with the ballot question for option D, the ballot question shall be varied to read appropriately. If an option B ballot question is submitted for the combined clerk-treasurer office at the same election in which option D is also on the ballot, the ballot must note that the approval of option B is contingent on the simultaneous approval of option D. In any of these cases, the question shall be followed by the words "Yes" and "No" with an appropriate oval or similar target shape before each in which an elector may record a choice.

Subd. 5. **Adoption by affirmative vote.** If a majority of the votes cast on the question of adoption of option A, B, C, or D is in the affirmative, the option voted upon shall be adopted in the town. It shall remain in effect until abandoned by a similar majority at a subsequent annual town election at which the question of abandonment is submitted.

Subd. 6. **Abandonment of options; three-year limitation.** At any time more than three years after the adoption of an option, the question of its abandonment may be submitted to the electors, in the same manner provided for the submission of the question of adoption, except that in the statement of the question on the ballot, the word "abandoned" shall be substituted for the word "adopted." If a majority of the votes cast on the question is in favor of abandonment, the plan shall be abandoned. Subject to the provisions for transition back to the regular form of town government, the form of town government existing prior to adoption of the abandoned option shall be resumed in the town.

Subd. 7. **Report by town clerk.** When the question of adoption or abandonment of an option is submitted, the town clerk shall promptly file with the county auditor and the secretary of state a certificate stating the date of the election, the question submitted, and the vote on the question.

History: 1975 c 274 s 2; 1976 c 41 s 2; 1984 c 562 s 38; 1986 c 327 s 3; 1986 c 444; 1988 c 639 s 4; 1989 c 24 s 1-4; 1990 c 401 art 1 s 1; 2003 c 60 s 3; 2015 c 70 art 1 s 57

EXTRACT OF MINUTES OF A MEETING OF THE TOWN
BOARD OF THE TOWN OF WHITE BEAR, MINNESOTA,
HELD ON AUGUST 3, 2020

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 August 3, 2020.

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

Supervisor McCune introduced the following Resolution and moved its adoption:

**RESOLUTION PLACING ON THE NEXT ANNUAL
BALLOT THE QUESTION OF "SHALL OPTION C, PROVIDING
FOR THE APPOINTMENT OF A TOWN ADMINISTRATOR
BY THE TOWN BOARD BE ADOPTED FOR THE
GOVERNMENT OF THE TOWN"**

WHEREAS, Minnesota Statutes, Section 367.30, provides four options under which a Town may conduct business,

AND WHEREAS, currently the Township conducts business under Option B which provides for the appointment of the clerk and treasurer by the Town Board,

AND WHEREAS, the Town Board of White Bear Township wishes to now conduct business under Option C which provides for the appointment of a Town Administrator,

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

That the Town Board hereby directs that the next Annual Ballot shall include the following question:

"Shall Option C, providing for the appointment of a Town Administrator by the Town Board be adopted for the government of the Town."

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

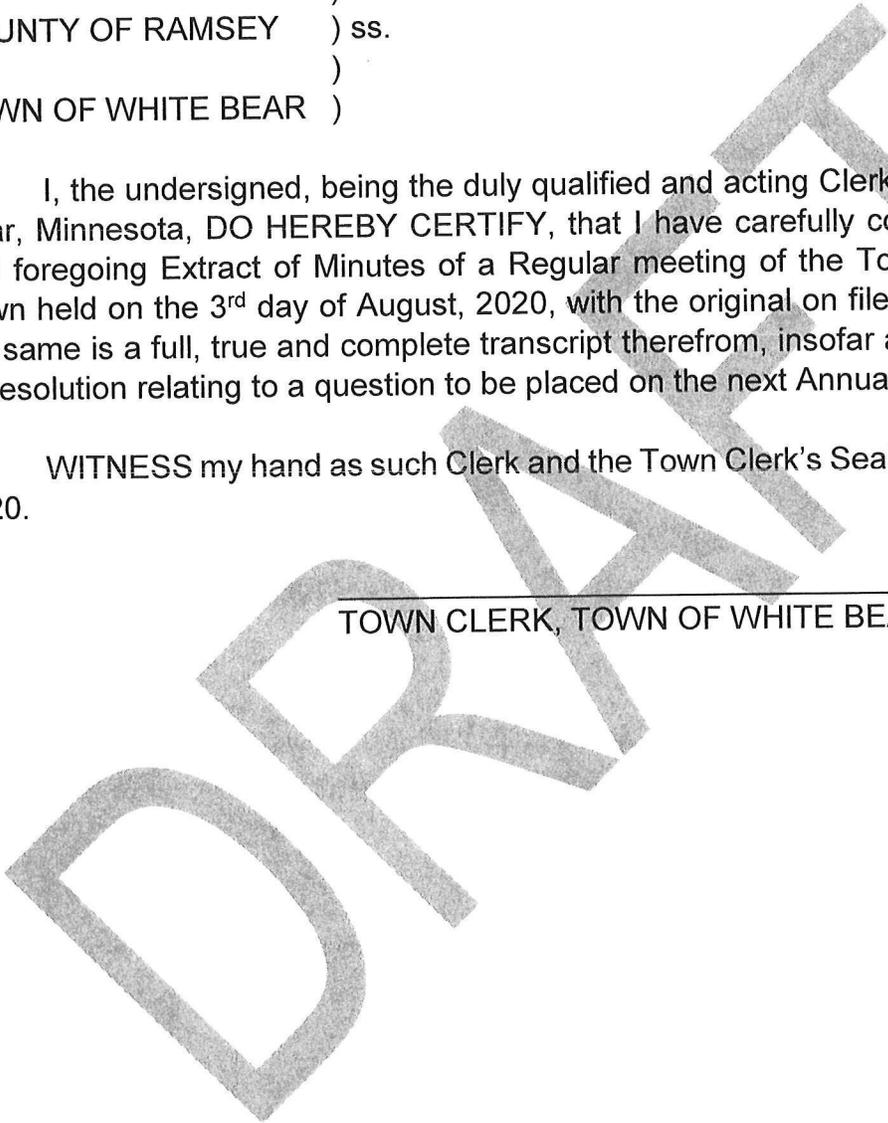
Whereupon said Resolution was declared duly passed and adopted.

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

I, the undersigned, being the duly qualified and acting Clerk of the Town of White Bear, Minnesota, DO HEREBY CERTIFY, that I have carefully compared the attached and foregoing Extract of Minutes of a Regular meeting of the Town Board of the said Town held on the 3rd day of August, 2020, with the original on file in my office, and that the same is a full, true and complete transcript therefrom, insofar as the same relates to a Resolution relating to a question to be placed on the next Annual Ballot of the Town.

WITNESS my hand as such Clerk and the Town Clerk's Seal this 3rd day of August, 2020.

TOWN CLERK, TOWN OF WHITE BEAR, MINN.





**Town Board Executive Meeting
July 24, 2020**

Agenda Number:

15 – 16 - 17

Subject:

Added Agenda Items
Receipt of Agenda Materials / Supplements
Adjournment

Action / Motion for Consideration: