



# WHITE BEAR TOWNSHIP

1858  
RAMSEY COUNTY  
MINNESOTA

1281 HAMMOND ROAD  
WHITE BEAR TOWNSHIP, MN 55110

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FAX 651-426-2258

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

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

## AGENDA EXECUTIVE MEETING AUGUST 28, 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 July 24, 2020 Minutes

### **North Oaks Company** – Representatives to Attend

4. 2020 Street Improvements – Update.
5. Water System Improvements – Update.
6. I & I – Update.
7. Ordinance No. 47 Amendments – Rentals.
8. Parkview Village Refuse Exemption Request.
9. Township Mission Statement.
10. CARES Act – Options.
11. Budget – Discussion.
12. Ramsey County WBL Funding – Discussion.
13. Public Works Director Report.
14. Code Enforcement Officer / Building Inspector Report:
  - a. 5456 Township Drive
  - b. 5305 West Bald Eagle Boulevard
  - c. 1378 South Birch Lake Boulevard.
15. Clerk-Treasurer Report:
  - a. DNR Groundwater Management – Update.
16. **Closed Session:**
  - a. Union Negotiations.
17. Added Agenda Items.
18. Receipt of Agenda Materials / Supplements.
19. 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.



recycled paper



**Town Board Executive Meeting  
August 28, 2020**

**Agenda Number:** 1 – 2 - 3

**Subject:** Approval of August 28, 2020 Agenda  
Approval of July 24, 2020 Minutes

**Documentation:** August 28, 2020 Agenda  
July 24, 2020 Minutes

**Action / Motion for Consideration:**

Call meeting to order:	
Approval of Agenda:	August 28, 2020 (additions/deletions)
Approval of Minutes:	July 24, 2020 (additions/deletions)

**Please See Jeff Miller's**

**Email regarding how he wants the minutes to read.**

## Patti Walstad

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**From:** Tom Riedesel  
**Sent:** Tuesday, August 18, 2020 1:13 PM  
**To:** Patti Walstad  
**Subject:** FW: Summit Lane

Here you go.

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**From:** JEFFREY J MILLER [mailto:fatmusic@msn.com]  
**Sent:** Tuesday, August 4, 2020 4:42 PM  
**To:** Tom Riedesel <Tom.Riedesel@whitebeartownship.org>  
**Subject:** Re: Summit Lane

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

Tom,  
I have an issues with the town board executive meeting minute.

"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."

I never said to close it for good!!! people read these minutes. I said every year we review the issues at the street and the township has to come up with a resolution.

All of the meeting minutes were incorrect.

Jeff Miller

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**From:** Tom Riedesel <Tom.Riedesel@whitebeartownship.org>  
**Sent:** Friday, July 10, 2020 2:44 PM  
**To:** JEFFREY J MILLER <fatmusic@msn.com>  
**Subject:** FW: Summit Lane

Here you go Jeff.

**MINUTES  
TOWN BOARD EXECUTIVE MEETING  
JULY 24, 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 with the additions of 15A) Discussion on Cares Act 2020, 15B) Heritage Hall Sound System, and supplemental information on agenda item 13A) 5456 Township Drive. McCune seconded. Ayes all.

**APPROVAL OF MINUTES OF JUNE 26, 2020:** McCune moved approval of the minutes of June 26, 2020 with the amended corrections. Ruzek seconded. Ayes all.

**RAMSEY COUNTY PRESENTATION – COUNTY REPRESENTATIVES TO ATTEND:** Rachel Broughton, Greg Brown, and John Mazzitello were present from Ramsey County to present on the proposed trail design to be a part of Lake Links Trail, potential one-way or two-way road designs, and how it affects the Township. Broughton began by giving a background of the project and gave an overview of the schedule. She went through survey results and the first open house. Another virtual open house is being planned for later this year, with hopeful construction beginning in 2022.

Brown gave more detail of the virtual open house from May 15<sup>th</sup> through May 25<sup>th</sup>. He went over 171 survey responses, 194 wiki map users, and 19 direct phone call/email results. He explained that all of what Broughton shared was at the open house, and he went more into depth of the findings from feasibility studies, etc. The findings show that a majority of residents are for hybrid road options with safety improvements and bike paths of importance. He showed a graph explaining the results. Common themes residents are concerned about are reduced speeds, safer crossings, retaining parking/loading places, and keeping the impact limited to existing roadway footprint. Currently there is still studying being done to find better maintenance and drainage solutions.

Brown showed a couple scenarios of what the trail, boulevard, and road would look like with a one-way and a two-way option. It was noted that the Township has drainage concerns in the south-easterly section. It was noted that one-ways are not of excitement to the Township due to the maintenance once it is rolled back to Township jurisdiction. There was some discussion of this, and it was noted that there can be some form of reimbursement for maintenance and repair needs from the County, if that would mean support. Currently the County has received \$2.6 Million for design and construction work from the federal government, and it would like to begin work to start the project as soon as possible.

**2020 STREET IMPROVEMENTS – UPDATE:** **Town Roads:** The Town Engineer reported that the residents in the first phase can now back in and out of driveways, which means the first phase is completed. It went well. He noted that the rest of the areas are receiving their bituminous layer and curb and gutter currently. Then the first coat of pavement will be placed. He noted that there are some resident concerns, but staff has been able to answer the

**MINUTES  
TOWN BOARD EXECUTIVE MEETING  
JULY 24, 2020**

concerns, and more of them were in the moment concerns, nothing budget related. On July 24<sup>th</sup>, the crew completed the storm sewer and catch basins.

The project as a whole is on schedule. The south portion ran into a few hiccups, but residents have been very happy with the 4 roads that are already done. There was some discussion of the communication habits between the Town Engineer and staff ensuring residents are informed of every progress. It was noted that this has been a very good effort and residents do pay attention.

**County Roads:** The Public Works Director reported that the County is working hard to replace the culvert on the East side of 35 along County Road H2 and will start reconstruction once completed.

**Peterson Road:** There was some discussion over Peterson Road and Otter Ridge Circle project. Staff is working on the plans and specifications. There was some discussion on how best to receive all resident feedback, but still make the best long-term decision. It was noted that the neighborhood meeting for Peterson Road is Wednesday, August 5<sup>th</sup> and Otter Ridge Circle is Wednesday, August 12<sup>th</sup>.

**STABLE PROPERTY FEASIBILITY REPORT – UPDATE:** The Town Engineer reported that the feasibility report is being put together based off of Larson Drawings from December with a cost estimate, date, etc. It was noted that the developer's responsibilities would be the well, fences, building, gravel driveway, concrete, grading, etc. The Township is working on any opportunities to bring in materials to aid the developer. The report isn't quite yet finished due to going through Ramsey County, and there has been some lag because of COVID and the permits being under review. Currently the project cost is \$901,227. The bids are due mid-August and there will be more discussion then.

**WATER SYSTEM IMPROVEMENTS – UPDATE:** The Public Works Director reported that he and the Town Engineer discussed the water system improvements with Dan Nessler from TKDA. The pump and motor install is scheduled for the last week in July. From there, the contractors will get piping for internal connections all squared away.

Finally, the well will begin pumping over the next couple weeks, after test pumpings have been deemed it ready. The contractors will start slow in case anything comes up. It was noted that there may be some delays because staff will have to learn to balance the chlorine at this level.

**I & I – UPDATE:** The Public Works Director reported on the Stillwater Street repair. He is still waiting on the third quote and then will bring the quotes back to the Board. He also wants to televise the NE area near Leibel Street. He will also bring the quotes for televising to the Board as well. There was some discussion of the possibility of getting out from under Met Council's requirements and payments. Staff will remain optimistic of the possibilities for the next round. It was noted that the flow monitoring results haven't come back from Centerville Road. The Public Works Director will present those findings at the August Executive Town Board meeting.

**MINUTES  
TOWN BOARD EXECUTIVE MEETING  
JULY 24, 2020**

The Town Finance Officer noted that he is working on getting the bond sale in the works for the water improvement project, street improvement project 2020, Peterson Road and Otter Ridge Circle project, and the Polar Lakes Park restrooms. Baker Tilly will present the moving pieces of the bond sale at the August 17<sup>th</sup> Town Board meeting. He explained the abatement bond process, and there was some discussion. He has never bonded for an abatement bond, but it is just a different tool. There was some discussion of moving around funds since the bond won't come through until October, but the improvement project contractors will need payment prior to then.

**ORDINANCE NO. 47 AMENDMENTS – RENTALS:** The Town Attorney submitted suggestions to the Town Board regarding Ordinance No. 47: nuisance properties. The biggest change would be to revoke rental license, that this would hit the landlord where it hurts. There was some discussion of this concept. The Board wants to see language regarding fees for each violation. The thought behind this is that after so many fees, the landlord is bound to pay attention. There was some discussion of a tiered approach prior to a public hearing: 30 days could be a \$500 fine, 60 days could be a \$1,000 fine, and 90 days could be the Public Hearing and vacation of residents and rental license. Due to the fines, the Town Building Inspector wouldn't have to go out on calls as much since the landlord will care if he or she is fined. There was some discussion of other cities' and municipalities' calls of service costs. The Town Attorney couldn't find anything in their records, but he will double check. There was some discussion on how to handle this if there is a neighbor who makes multiple calls if they have a bone to pick with the landlord or home owner. There will be more to report at the next Executive meeting.

The Board took a 5 minute break.

**TOWNSHIP MISSION STATEMENT – REVIEW:** The Town Clerk reported that the Board had brought this idea to Town staff due to one resident's input about participating in eliminating racism. It was decided that there isn't enough staff to allocate to a task force, but a representative could sit on the City of White Bear's task force that was formed. As another alternative, the Board decided to update the mission statement. The Town Clerk will write up multiple mission statements and the Board will decide. There will be more to report on at the August Executive meeting, then the Board will vote on a final version at a regular Town Board meeting.

**RESCHEDULE SEPTEMBER 7<sup>TH</sup> MEETING TO SEPTEMBER 9<sup>TH</sup> DUE TO HOLIDAY:** Due to the Labor Day holiday, the first Town Board meeting in September will be moved from Monday, September 7<sup>th</sup> to Wednesday, September 9<sup>th</sup>. This will be at the next Town Board approval on the consent agenda.

**2021-2030 CIP – REVIEW:** The Town Finance Officer presented the first round of the next 10 years Capital Improvement Projects and their costs. There are several items that will change over the next several months to 10 years, as a budget is ever moving with the continuous pieces, but this is the plan. The equipment section will be moved around. There was some discussion of the priority ranking. There was discussion of other parts: hiring staff, expanding Public Works department, the Public Works remodel, etc. There were a couple items noted, like the Bald Eagle Trail development, that may be able to be allocated to other areas if another

MINUTES  
TOWN BOARD EXECUTIVE MEETING  
JULY 24, 2020

entity is taking care of the cost. The Public Works Director gave some details on his long-term plan for the Public Works department, and how he would like to see everything set up before he retires in 5 or so years.

**PUBLIC WORKS DIRECTOR REPORT:** The Public Works Director was present to report on Public Works Department activity for July of 2020. He noted that the **summer staff** is doing well and there are some younger guys that could be prospective for future Public Work positions. There was some brief discussion on the **union contract** negotiations. Any financial changes would be made by the preliminary budget. The remaining **trails** along White Bear Parkway, Centerville Road, Otter Lake Road, Polar Lakes Park, and Columbia Park will be finished up being seal coated. There was some discussion over the neighborhood **watch signs**: should the Town replace them. It was decided that they won't replace them, but if residents would like to they can notify Town staff. Public Safety may review this at the August meeting.

**CODE ENFORCEMENT OFFICER / BUILDING INSPECTOR REPORT:** **5456 Township Drive:** The Town Clerk reported on behalf of the Town Building Inspector. An abatement order went out to the property owners James Wung and Anthonia Kum. The tenant had moved out, but had left some of their belongings. The following will need to be taken care of by July 31<sup>st</sup>: removal of all personal property, and a list was given; yard maintenance, cutting the overgrown yard and removal of leaves and overgrown vegetation. If the landlords or tenants don't clear the abatement, the landlords will be charged for Town staff clearing the order, as well as a 25% additional fee of such costs for staff time. There will be more discussion on this property once the abatement is cleared.

**1647 Park Avenue:** The Town Clerk reported that the owner, Juan Gabriel Hernandez, built a lean-to type of roof structure on the west side of his accessory structure without a building permit. Due to this it must be taken down. There are several requirements that have not been taken into consideration like the 10-foot setbacks to the side property lines, building into a tree, etc. It was noted that the Town Attorney will send a sheet of helpful letters to residents, where he can fill in the blank dates, etc.

**CLERK-TREASURER REPORT:** **DNR Groundwater Management – Update:** The Town Attorney re-explained his update of the Minnesota Supreme Court decision from Wednesday, July 15<sup>th</sup>. They reversed the Court of Appeals on the issue of whether or not the plaintiffs brought the action under the proper statute, 116B.03, and the State and the position of the Town of White Bear was that they had to bring it under the statute 116B.10. The difference was the relief that the court could craft. But because there are a number of issues raised by the state, Township, and the City that were not dealt with by the Court of Appeals, the case has been remanded back to the Court of Appeals to make decisions on the issues not dealt with. The Attorney received a letter from the Court of Appeals outlining how they intend to do that, and the Town has until August 14<sup>th</sup> to file amended additional briefs if it so chooses, but it has to be new information. At this point, it isn't clear whether the Court will hold oral hearings or just take the case under advisement based on the briefs that are submitted.

There was some discussion of how the Town was noted in the briefs so far and that there is nothing new to add. The Town Attorney will keep a close eye on whether or not case law has

**MINUTES  
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JULY 24, 2020**

changed. There was some discussion of the permits and how the plaintiffs would have to proceed if they wanted to take on that route. The lawsuit was filed in August of 2013, and it keeps dragging on. It was noted that the Doctrine of Public Trust doesn't apply. And there was some other discussion. The Attorney noted the different ways this case could go: the DNR could appeal the District Court, stating that it didn't challenge points from all parties, which would set the case back; the District Court wants to open permits from the case; this could impact permitting, but it was noted in the case that this wasn't going to happen; or the District Court could declare the accusations erroneous. He also explained the Township's concerns: that the Court violated the separation of powers; and the District Court doesn't have jurisdiction to affect well permits.

There will be more to update once any additional information is filed on August 14<sup>th</sup>.

**Discussion-Proposed New/Budgeted Staff Positions:** The Town Clerk noted that this agenda item was discussed previously in the year, but was tabled due to COVID-19. He stated that he would get a proposal for the Accounting Clerk finished and to the Board in 30-60 days, once he gets clarity on how to describe the position. There will also be a proposal for another staff position that staff should be able to put language together by the August 17<sup>th</sup> Town Board meeting. There was some discussion of a civil engineer for the Town staff. Staff will review this and get back to the Board. Hiring a civil engineer would mean the Town would pay them, but pay TKDA less. There will be more discussion in September.

**Option C- Appointment of Town Administrator – Discussion:** The Town Clerk and the Town Attorney gave updates on this change. If Christopherson's title is changed from Town Clerk to Town Administrator, there has to be a vote from the public. But currently his duties are that of a Town Administrator, so there was discussion of leaving it as is and address if needed in the future. What brought this agenda item about was the change in pay scale, making current with the year, through the auditing process. Town staff will be in touch with surrounding communities to discuss and will report back to the Board.

**OPEN TIME:** No one was present for open time.

**ADDED AGENDA ITEMS:** **Cares Act 2020 – Discussion:** The Town Clerk reported that Federal funds have been made available and the Township is receiving \$835,000 worth of aid. It was proposed that this aid could mainly go to businesses within the Township that can prove unbudgeted expenses specifically due to COVID-19. The Township can redeem \$40,000 to \$50,000 for aid based on the documented losses due to COVID. That leaves about \$800,000 for Township businesses. No one can claim a grant based on lost revenue. The grant money is simply a reimbursement for unbudgeted expenses due to COVID. The Town EDA will be presented this information and staff will draw up an amount for each business that applies. The trouble is the Town only has until November 15, 2020 to disburse the funds to businesses that saw unbudgeted expenses between March 15<sup>th</sup> through November 15<sup>th</sup>. Any additional funds the Town has leftover will go to hospitals within Ramsey County.

**MINUTES  
TOWN BOARD EXECUTIVE MEETING  
JULY 24, 2020**

It was also noted that there have been 47 confirmed Coronavirus cases within the Township since March 15<sup>th</sup>. It was noted that the first responders from Ramsey County Contract Group have only had 1 time where they went outside the parameter of service.

**Heritage Hall Sound System – Discussion:** The Town Clerk noted that the sound system is only tied to the television system for residents at home; it doesn't pertain to folks in the audience. The Board members can hear the audience fine, but some in the audience have said they cannot hear the Board. Staff will talk to the contractor in charge of the sound to see if she has any thoughts.

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

Ruzek moved to adjourn the meeting at 11:41 p.m. McCune seconded. Ayes all.

Respectfully Submitted,

Megan R. Cavanaugh  
Recording Secretary



**Town Board Executive Meeting  
August 28, 2020**

**Agenda Number:**

**Subject:** North Oaks Company – Representatives to Attend

**Documentation:**

**Action / Motion for Consideration:**

## Patti Walstad

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**From:** Pat Christopherson  
**Sent:** Thursday, August 20, 2020 11:47 AM  
**To:** Patti Walstad  
**Subject:** FW: August 28 Executive Session

FYI

**From:** Mark Houghe <mark@northoaks.com>  
**Sent:** Thursday, August 20, 2020 11:16 AM  
**To:** Pat Christopherson <Pat.Christopherson@whitebeartownship.org>  
**Cc:** Slaven, Matthew <MSlaven@Taftlaw.com>; Bray, Thomas <TBray@Taftlaw.com>; Tom Dougherty <tom@northoaks.com>; Gary Eagles <gary@northoaks.com>  
**Subject:** August 28 Executive Session

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

Hi Pat,

Please confirm we are on the Town Board Executive Session meeting agenda August 28, 2020 (and time) to discuss WBT providing water and sanitary sewer services to Gate Hill and Island Field.

The specific topics we would like to discuss are as follows:

1. Installation of water line from stubbed line at Heraeus Medical's site north to stubbed line at Pine Hill (on North Oaks Company's site)
2. Review development agreement with Heraeus Medical to complete water line installation
3. Update on WBT's systems capacity to provide water to Island Field and Gate Hill
4. Update from DNR on water permitting short-term while WBL lawsuit is resolved
5. Structure agreement for WBT to provide water to Island Field
6. Structure agreement for WBT to provide water to Gate Hill
7. Preparation of an amendment to the joint powers agreement for sanitary sewer service to Island Field
8. Preparation of an amendment to the joint powers agreement for sanitary sewer service to Gate Hill

We have been discussing the well permitting issues with several people Chad Lemmons referred us to at the DNR. I may be able to arrange for either Steve Colvin, Director of Ecological & Water Resources Division, Jason Moeckel, Section Manager for Inventory, Monitoring, & Analysis (most familiar with WBL case), or Randall Doneen, Section Manager for Conservation Assistance and Regulations (oversees issuance of well permits) to attend the meeting via phone.

Please confirm we have enough time to cover these topics, if not, I propose we focus on items 1 – 4.

Best regards,  
Mark

**Mark Houghe**  
President  
T: 651-484-3361, Ext #405  
C: 651-231-6226  
[mark@northoaks.com](mailto:mark@northoaks.com)



## Town Board Executive Meeting August 28, 2020

**Agenda Number:** 4

**Subject:** 2020 Street Improvements - Update

**Documentation:** None

### Action / Motion for Consideration:

#### Report at Meeting / Discuss

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

**2020 STREET IMPROVEMENTS – UPDATE: Town Roads:** The Town Engineer reported that the residents in the first phase can now back in and out of driveways, which means the first phase is completed. It went well. He noted that the rest of the areas are receiving their bituminous layer and curb and gutter currently. Then the first coat of pavement will be placed. He noted that there are some resident concerns, but staff has been able to answer the concerns, and more of them were in the moment concerns, nothing budget related. On July 24<sup>th</sup>, the crew completed the storm sewer and catch basins.

The project as a whole is on schedule. The south portion ran into a few hiccups, but residents have been very happy with the 4 roads that are already done. There was some discussion of the communication habits between the Town Engineer and staff ensuring residents are informed of every progress. It was noted that this has been a very good effort and residents do pay attention.

**County Roads:** The Public Works Director reported that the County is working hard to replace the culvert on the East side of 35 along County Road H2 and will start reconstruction once completed.

**Peterson Road:** There was some discussion over Peterson Road and Otter Ridge Circle project. Staff is working on the plans and specifications. There was some discussion on how best to receive all resident feedback, but still make the best long-term decision. It was noted that the neighborhood meeting for Peterson Road is Wednesday, August 5<sup>th</sup> and Otter Ridge Circle is Wednesday, August 12<sup>th</sup>.



## Town Board Executive Meeting August 28, 2020

**Agenda Number:** 5

**Subject:** Water System Improvements - Update

**Documentation:** None

### **Action / Motion for Consideration:**

Report at Meeting / Discuss

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**Minutes**  
**Executive Meeting**  
**July 24, 2020**

**WATER SYSTEM IMPROVEMENTS – UPDATE:** The Public Works Director reported that he and the Town Engineer discussed the water system improvements with Dan Nessler from TKDA. The pump and motor install is scheduled for the last week in July. From there, the contractors will get piping for internal connections all squared away.

Finally, the well will begin pumping over the next couple weeks, after test pumpings have been deemed it ready. The contractors will start slow in case anything comes up. It was noted that there may be some delays because staff will have to learn to balance the chlorine at this level.



## Town Board Executive Meeting August 28, 2020

**Agenda Number:** 6

**Subject:** I & I - Update

**Documentation:** None

### Action / Motion for Consideration:

#### Report at Meeting / Discuss

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**Minutes**  
**Executive Meeting**  
**July 24, 2020**

**I & I – UPDATE:** The Public Works Director reported on the Stillwater Street repair. He is still waiting on the third quote and then will bring the quotes back to the Board. He also wants to televise the NE area near Leibel Street. He will also bring the quotes for televising to the Board as well. There was some discussion of the possibility of getting out from under Met Council's requirements and payments. Staff will remain optimistic of the possibilities for the next round. It was noted that the flow monitoring results haven't come back from Centerville Road. The Public Works Director will present those findings at the August Executive Town Board meeting.

The Town Finance Officer noted that he is working on getting the bond sale in the works for the water improvement project, street improvement project 2020, Peterson Road and Otter Ridge Circle project, and the Polar Lakes Park restrooms. Baker Tilly will present the moving pieces of the bond sale at the August 17<sup>th</sup> Town Board meeting. He explained the abatement bond process, and there was some discussion. He has never bonded for an abatement bond, but it is just a different tool. There was some discussion of moving around funds since the bond won't come through until October, but the improvement project contractors will need payment prior to then.



## Town Board Executive Meeting August 28, 2020

**Agenda Number:** 7

**Subject:** Ordinance No. 47 Amendments - Rentals

**Documentation:** Town Attorney Draft Possible Ordinance

### **Action / Motion for Consideration:**

Report at Meeting / Discuss

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**Minutes**  
**Executive Meeting**  
**July 24, 2020**

**ORDINANCE NO. 47 AMENDMENTS – RENTALS**: The Town Attorney submitted suggestions to the Town Board regarding Ordinance No. 47: nuisance properties. The biggest change would be to revoke rental license, that this would hit the landlord where it hurts. There was some discussion of this concept. The Board wants to see language regarding fees for each violation. The thought behind this is that after so many fees, the landlord is bound to pay attention. There was some discussion of a tiered approach prior to a public hearing: 30 days could be a \$500 fine, 60 days could be a \$1,000 fine, and 90 days could be the Public Hearing and vacation of residents and rental license. Due to the fines, the Town Building Inspector wouldn't have to go out on calls as much since the landlord will care if he or she is fined. There was some discussion of other cities' and municipalities' calls of service costs. The Town Attorney couldn't find anything in their records, but he will double check. There was some discussion on how to handle this if there is a neighbor who makes multiple calls if they have a bone to pick with the landlord or home owner. There will be more to report at the next Executive meeting.

Purpose: The over consumption and misuse of law enforcement, emergency and/or town services by owners and occupants of individual properties located within the Town create an undue burden on town resources. By adopting this ordinance, the Town intends to impose and collect for repeat nuisance service calls from the person responsible for the nuisance service call.

Definitions. For the purpose of this ordinance the following definition shall apply.

Nuisance Service Call. Shall mean and refer to any response by law enforcement agency, including but not limited to Ramsey County Sheriff, fire service, emergency medical service, or town staff due to conduct or condition occurring in the Town which unreasonably annoys, injures or endangers the safety, health, morals, comfort or repose of any member of the public. A nuisance call shall include but not be limited to, a response to the following:

- a) Any activity which requires dispatch of law enforcement to a property;
- b) Any activity which requires dispatch of fire department staff and/or equipment to a property;
- c) Any activity which requires dispatch of emergency medical staff and/or equipment to a property;
- d) Any activity which requires dispatch of town staff to investigate and/or abate violations of the following Town Ordinances:
  - i. Ordinance 8 – Building Regulations
  - ii. Ordinance 16 – Nuisances
  - iii. Ordinance 32 – Related to and regulating to controlling the sale and consumption of non-intoxicating malt liquors and intoxicating liquors
  - iv. Ordinance 35 – Related to and regulating the use of land
  - v. Ordinance 47 – Related to and regulating the occupancy and maintenance of housing
  - vi. Any activity, conduct or condition violating state laws prohibiting or regulating prostitution, gambling, controlled substances, use of firearms;
  - vii. Loud and boisterous conduct, noise and activity that disturbs the peace, constitutes a public nuisance or a disorderly conduct as defined by state statutes.

Repeat Nuisance Service Call Fee. Shall mean and refer to the fee upon the responsible party if the Town, law enforcement, fire, medical has rendered services or has responded to a nuisance service call on three or more occasions with any twelve months preceding the current service call.

Responsible party or parties. Shall mean and refer to the owner, occupant or anyone having control of the real property where the nuisance service call occurred or the person or

persons responsible were involved in the nuisance service call, regardless of where the nuisance call occurred.

Nuisance Call Service Fee Imposed.

- a) After two nuisance service calls within twelve months, the Town shall provide written notice to the responsible party or parties that subsequent nuisance service calls may result in the imposition of a repeat nuisance service fee. Written notice shall:
- i. State the nuisance activity, conduct or condition that is or has occurred or is being maintained or permitted, in the dates of the nuisance activity, conduct or condition.
  - ii. State that the responsible party or parties maybe subject to a repeat nuisance service call fee for a third nuisance service call and for every nuisance service call occurring thereafter within the succeeding twelve month period that involves the same property, unit, apartment complex or person(s), in addition to the Town's right to seek other legal remedies or actions for abatement of the nuisance or compliance with the law.
  - iii. State that the amount of the nuisance service call fee will be \$100.00 and shall increase \$50.00 for each additional nuisance service call within the next twelve months.
  - iv. State that failure to pay may result in the costs being assessed against the owner's property or in the issuance of a criminal citation to the responsible party.
  - v. Be served personally or by U.S. Mail upon the responsible party or parties at the last known addressed determined by the records maintained by the Ramsey County Department of Property Taxation.

Imposition of the Fee. If after the written notice is served pursuant to this section, a subsequent nuisance service call occurs within the time frame set forth in the notice, the Town may impose repeat nuisance service fees upon the responsible party or parties in the amount set forth in the notice. The responsible party who has received the notice set forth above shall be responsible for payment of the repeat nuisance service call fee. Responsibility for repeat nuisance service call fee is joint and several. The Town reserves the right to impose the repeat nuisance service call fee on all responsible parties.

Appeal. The responsible party or parties may appeal the imposition or amount of the fee by filing a written notice of appeal, using the form created by the Town, within 14 days of the written imposition of the fee.

Request for Hearing. If any responsible party or parties responds requesting a hearing, the Town shall assign the case to a hearing officer on the list. The hearing officer shall schedule a hearing within 28 days of the receipt the notice of appeal. If there is more than one responsible party or parties, the notice of appeal shall only be effective as to the party or parties actually executing the notice of appeal. As to all other non-appealing responsible party or parties the fee shall be due and payable in full upon expiration of the 14 day appeal period.

Hearing. At the hearing the hearing officer will receive testimony of any witnesses, witness statements, and comments presented by the appealing responsible party or parties. The hearing officer will consider those items along side the materials submitted by the Town and may weigh the evidence and make creditability determinations to the best of the hearing officers' ability. The hearing officer is not required to apply the rules of evidence in making determinations about the evidence presented.

Decisions/Findings. After considering all evidence submitted the hearing officer shall determine, by ponderance of the evidence, whether the responsible person or person cited did or did not violate the ordinance cited in the notice of nuisance service calls. The hearing officer shall make written findings supporting the determination and transmit them to the responsible appealing person or persons and the Town's designee within 5 days of closing the hearing.

If a hearing officer upholds the imposition of the fee, the fee shall be due and payable within 15 days of the date the findings are sent to the responsible person or persons. Payment of fees shall be made to the Town.

Non-payment. If payment is not made within 15 days set forth above, the Town reserves the right to collect the unpaid fees as an assessment pursuant to the provisions of Minn. Stat. § 429.

Severability. Should any section, subdivision, clause or any other provision of this Ordinance be held to be invalid by any court of common jurisdiction, such a decision should not affect the validity of the Ordinance as a whole or any part thereof, other than the part held to be invalid.

Effective Date. This Ordinance shall take effect and be in full force after its passage and publication.

From July  
Packet

## 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 may be 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 August 28, 2020

**Agenda Number:** 8

**Subject:** Parkview Village Refuse Exemption Request

**Documentation:** Emails / Ordinance 31 Excerpt / Policy

### Action / Motion for Consideration:

Report at Meeting / Discuss

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**Minutes**  
**Utility Commission Meeting**  
**August 13, 2020**

**Parkview Village Request to be Exempt from Refuse Services:** The Town Clerk reported that the Association Manager of Parkview Village, Dan Bucholz, sent staff an email requesting whole exemption from refuse services. This neighborhood would like to seek out its own company. There was some discussion over the slippery slope of if the Town lets some people others will want out too. This is why there are stipulations to the Town Policy:

"1. Shall be self-employed and proved written evidence that they pay for mixed municipal solid waste service at work or are employed by a company that has mixed municipal solid waste service, and which will provide employee with written permission to use employers mixed municipal solid waste service.

"Such written evidence must be provided to the Town once per year. If not provided, resident shall be billed for mixed municipal solid waste service.

"2. Shall sign an Acceptance of Future Liability form for transporting mixed municipal solid waste and disposing of it at another location.

"3. Shall indicate the location of where their mixed municipal solid waste is being disposed.

"4. Shall pay an amount equivalent to one-half of the rate of 'standard' level service to cover: A) Providing the public service (collecting and disposing of mixed municipal solid waste from public property such as parks, rights-of-way, etc.); B) Annual spring clean-up; and C) Recycling programs."

Because of all these stipulations there has only been a handful of residents who qualify for the opt-out. It was noted that there are about 20 homes within the town home association, and it is nearly impossible that every resident would qualify, especially considering that some are retired and therefore do not have employer to dispose of refuse per Ordinance. The goal of the town home association is to look for another vendor to provide these services, but this would require additional truck traffic on Township roads, another thing that are all considered within the cost of the refuse service.

Commission Member Sylvia Hesse stated, "As an owner of a town home, I would be in favor of not letting them opt-out." Upon further discussion, it was decided that Town staff should run the numbers of how much the savings would be to not have to pay for the items noted in the email in the supplemental packet.

**The Utility Commission made a recommendation that it feels the whole group does not fit the criteria of the Town Policy, but if individuals want to continue, they can, and show proof of each criterion completed.**

## Patti Walstad

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**From:** Paul Groschen <paul.groschen@gmail.com>  
**Sent:** Friday, August 14, 2020 7:14 PM  
**To:** Pat Christopherson  
**Cc:** Patti Walstad; Groschen, Paul; Paul Groschen  
**Subject:** Re: Utility Commission Exemption request

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



Paul

Sent from my Android

On Fri, Aug 14, 2020, 3:14 PM Pat Christopherson <[Pat.Christopherson@whitebeartownship.org](mailto:Pat.Christopherson@whitebeartownship.org)> wrote:

Patti,

Please add this to the Executive Board Agenda packet

The White Bear Township Utility Commission CANNOT recommend exemption for Parkview Village and Lake Country Preserve from refuse collection. The Commission felt as a whole the two properties do not meet the exemption status, but also recognizes the Town Board has the final say in these matters.

PC

## Patti Walstad

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**From:** Pat Christopherson  
**Sent:** Wednesday, August 12, 2020 12:27 PM  
**To:** Patti Walstad  
**Subject:** FW: PARKVIEW VILLAGE #1 Townhome Assoc. - WB Township Garbage Contract

Add this as a supplement for the UC por favor

**From:** BUCHOLZ,DAN BUCHOLZ,DAN <danbucholz@msn.com>  
**Sent:** Wednesday, August 12, 2020 12:25 PM  
**To:** Pat Christopherson <Pat.Christopherson@whitebeartownship.org>  
**Cc:** Dennis Cusick <dcusick1968@gmail.com>  
**Subject:** Re: PARKVIEW VILLAGE #1 Townhome Assoc. - WB Township Garbage Contract

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

Hi Pat:

Thankyou for sharing this e-mail with the Township Utility Commission.

The Association wishes to "opt-out" of the White Bear Township garbage collection agreement with Republic Services.

The reason - Parkview Village Association is unique from single family homes. We do not need the following services, for example:

- lawn clipping / fall leaf pickups.
- large bulk item pickups -mattresses, coffee tables, chairs, microwaves, etc.
- require 33 gallon container - most owners are single, a few with two people only.

**We understand Parkview Village is presently under the Township agreement, per Republic Services. We wish to "opt-out" of the existing contract and continue to "opt-out" in the proposed 2021 agreement.**

If you have any questions, please contact me.

Thank you.

Sincerely,

Dan Bucholz  
Association Manager  
651-484-5684

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**From:** Pat Christopherson <Pat.Christopherson@whitebeartownship.org>  
**Sent:** Tuesday, August 11, 2020 1:16 PM  
**To:** BUCHOLZ,DAN BUCHOLZ,DAN <danbucholz@msn.com>  
**Subject:** RE: PARKVIEW VILLAGE I & Lake Country Preserve and WBL township contract

Got it.....I will forward this to our utility commission and the memo you put together regarding your exempt status

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**From:** BUCHOLZ,DAN BUCHOLZ,DAN <danbucholz@msn.com>  
**Sent:** Tuesday, August 11, 2020 1:00 PM  
**To:** Pat Christopherson <Pat.Christopherson@whitebeartownship.org>  
**Subject:** Re: PARKVIEW VILLAGE I & Lake Country Preserve and WBL township contract

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

Hi Pat:

Below is the e-mail from Bev at Republic regarding the wording in the Township contract.

Dan Bucholz



We'll handle it from here.™

**Julie Pittman** Account Manager  
8667 Rendova Street  
Circle Pines, MN 55014  
e [JPittman@republicservices.com](mailto:JPittman@republicservices.com)  
C 612-685-0789

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**From:** Mathiasen, Beverly <BMathiasen@republicservices.com>  
**Sent:** Monday, August 10, 2020 10:08 AM  
**To:** Pittman, Julie <JPittman@republicservices.com>  
**Cc: Subject:** RE: PARKVIEW VILLAGE I and WBL township contract

Hi Julie,

Dan didn't have to "OPT IN"; the contract includes townhomes. To "OPT OUT" he would have to appeal to the Town Board.

Here is some contract verbiage I pulled out:

- 4. Exemptions.** No dwelling unit shall be exempted from weekly mixed municipal solid waste and recycling services unless approved by the Town Board, pursuant to the Town's Mixed Municipal Solid Waste Exemption Policy. See Attachment C.

Attachment C is just a listing of the rates; nothing that he doesn't already have.  
I hope this is what he needs.

Thanks,  
Bev

-----

Beverly Mathiasen  
Municipal Services Manager

9813 Flying Cloud Drive  
Eden Prairie, MN 55347

e: [bmathiasen@republicservices.com](mailto:bmathiasen@republicservices.com)

o: 952-946-5302

c: 612-889-7324

w: RepublicServices.com

OED, 31  
Refuse

**SECTION 4. COLLECTION HOURS IN RESIDENTIAL AREAS.** No type of collection service within or near residential neighborhoods shall occur between the hours of 10:00 p.m. and 6:00 a.m.

**SECTION 5. DISPOSAL.**

**5-1. Residential Mixed Municipal Solid Waste Collection.** All persons are required to dispose of all mixed municipal solid waste by means of a Township licensed residential mixed solid waste collection contractor unless they have provided for adequate means of disposal which meets the approval of the Town Board pursuant to the Town's Refuse Exemption Policy, and which comply with all ordinances and regulations of the Township, County and State.

**5-1.1.** It shall be unlawful for any person to permit mixed municipal solid waste to be removed from their property by an unauthorized or unlicensed collector.

**5-1.2.** It shall be unlawful for any person to fail to dispose of mixed municipal solid waste that may accumulate upon property owned or occupied by a person, at least once every 7 days.

**5-2. Commercial/Industrial Mixed Municipal Solid Waste Collection.** Commercial and industrial businesses shall make necessary arrangements with a hauler licensed to do mixed municipal solid waste hauling in the Township.

**5-3. Yard Waste.** It shall be unlawful for any person to dispose of yard and tree waste into the mixed municipal solid waste stream. Yard waste shall be disposed of by:

**5-3.1.** Contracting with a licensed private collector to haul the yard waste to a County approved compost site.

**5-3.2.** The resident transporting the yard waste to an approved compost site.

**5-3.3.** Composting the yard waste on the resident's property in compliance with the Town Ordinances.

**5-4. Appliance Collection.** Appliances may be collected by a licensed private hauler, or by a Minnesota Pollution Control Agency approved appliance collector.

**SECTION 6. COLLECTION OF DESIGNATED RECYCLABLE MATERIALS.** Collection of designated recyclable material shall be once per week by the collector and transporter of recyclable materials designated by the Town Board. Designated recyclable materials shall be separated and set out for pick up at the

## POLICY

### EXEMPTIONS TO MANDATORY MIXED MUNICIPAL SOLID WASTE WEEKLY COLLECTION

White Bear Township's Ordinance No. 31 (Collection and Disposal of Mixed Municipal Solid Waste) requires that all residents dispose of their mixed municipal solid waste at least once per week. It also requires that only licensed haulers may transport mixed municipal solid waste within the Town. Further, in an effort to minimize the truck traffic disruption to residential neighborhoods, and damage to Town residential streets, and in keeping with a commitment to enhance the health, safety, and general welfare of Town residents, the Town Board has permitted only one mixed municipal solid waste hauler to collect and transport mixed municipal solid waste and recyclables from residential dwellings in the Township. This creates a situation whereby all Town residents are required to subscribe to mixed municipal solid waste service provided by the Town's one licensed residential mixed municipal solid waste hauler.

The White Bear Township Board of Supervisors will consider exempting Town residents who can satisfy the following requirements, from having to subscribe to and pay for regular mixed municipal solid waste pick-up from the Town's one licensed residential mixed municipal solid waste hauler:

1. Shall be self-employed and provide written evidence that they pay for mixed municipal solid waste service at work or are employed by a company that has mixed municipal solid waste service, and which will provide employee with written permission to use employers mixed municipal solid waste service.

Such written evidence must be provided to the Town once per year. If not provided, resident shall be billed for mixed municipal solid waste service.

2. Shall sign an Acceptance of Future Liability form for transporting mixed municipal solid waste and disposing of it at another location.
3. Shall indicate the location of where their mixed municipal solid waste is being disposed.
4. Shall pay an amount equivalent to one-half of the rate of "standard" level service to cover:

- A) Providing the public service (collecting and disposing of mixed municipal solid waste from public property such as parks, rights-of-way, etc.);
- B) Annual spring clean-up; and
- C) Recycling programs.

Revised 2/2/04  
Revised 11/2/98  
Originally Adopted 4/3/95

PSW/s

**ACCEPTANCE OF FUTURE LIABILITY**

I/We, \_\_\_\_\_ hereby agree that I/we will hold harmless and indemnify the Town of White Bear, a statutory Township, its agents, supervisors, employees and representatives, for all claims, actions, damages, and causes of action of any kind whatsoever, including attorney fees, which may result from the transporting of mixed municipal solid waste from my residence at \_\_\_\_\_ to my place of employment located at \_\_\_\_\_.

This hold harmless and indemnification includes all claims involving municipal mixed solid waste, hazardous waste, and materials classified as hazardous.

IN WITNESS WHEREOF, I/we have hereunto set our hands on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
(Property Owner Signature)

\_\_\_\_\_  
(Property Owner Signature)

Subscribed and sworn to before me  
this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public



**Town Board Executive Meeting  
August 28, 2020**

**Agenda Number:** 9

**Subject:** Township Mission Statement

**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.

Revised Mission Statement:

**White Bear Township's  
Mission:**

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

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**Minutes  
Executive Meeting  
July 24, 2020**

**TOWNSHIP MISSION STATEMENT – REVIEW:** The Town Clerk reported that the Board had brought this idea to Town staff due to one resident's input about participating in eliminating racism. It was decided that there isn't enough staff to allocate to a task force, but a representative could sit on the City of White Bear's task force that was formed. As another alternative, the Board decided to update the mission statement. The Town Clerk will write up multiple mission statements and the Board will decide. There will be more to report on at the August Executive meeting, then the Board will vote on a final version at a regular Town Board meeting.



**Town Board Executive Meeting  
August 28, 2020**

**Agenda Number:** 10

**Subject:** CARES Act - Options

**Documentation:** Town Attorney Memo / Town Clerk Overview

**Action / Motion for Consideration:**

Report at Meeting / Discuss

## MEMORANDUM

**DATE:** August 3, 2020  
**TO:** White Bear Town Board  
**FROM:** Chad D. Lemmons  
**RE:** Use of State Grant Money to Support Local Businesses

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At this time the State is still working on a model and U.S. Office Management Budget is working on a compliance supplement which should be due out in September. As a result, there are no detailed guidelines as to what expenses are or are not allowed. In the meantime, the State has established some general rules.

- A) The expense must be incurred between March 1, 2020 and November 15, 2020.
- B) The expense for which the business is seeking reimbursement cannot be part of a budget established prior to March 1, 2020.
- C) The business must have been in operation prior to March 1, 2020.
- D) The business must demonstrate a need. If the business is liquid and can self-fund it should not be eligible for grant.
- E) The cost must be related to COVID. As the expense would not have been incurred but for the virus.
- F) Direct per capita grants (per employee) are not allowed.
- G) Reimbursement must be for public purpose and within the Town's authority.
- H) No double dipping. What business has been reimbursed for an expense under another program, it can not seek reimbursement under this grant.

The following are examples of what expenses the grant program can reimburse a business for:

- A) Personal protection equipment (masks, face shields, gloves). One point the Town cannot purchase protection equipment and then distribute it to business. The State Office monitoring the grants was asked if a city could purchase washing stations and hand them out to businesses. The State was clear that such a program was not allowed as it was not for a public purpose and not within the city (or Town's) authority. The business has to purchase the protective equipment itself and then seek reimbursement.
- B) Shields to separate employees from the public.
- C) Software to operate during the pandemic. This would include additional hardware such as routers, servers or computers.
- D) Tents or temporary barricades rented by a business to operate outside. Typically this would be a restaurant or a bar; however, I do not see why a retail store that operates an outside pickup station could not be allowed.

Hennepin County already established its grant program and according to its website, allows reimbursement for the following:

- A) Rent or mortgage payments;
- B) Utility payments;
- C) Inventory costs; and
- D) Paying other direct business related bills.

I question whether these expenses can be reimbursed. Most if not all, would have already been budgeted for before the pandemic was declared. In addition, these expenses would be incurred whether or not the virus existed.

Some additional requirements a business applying for a grant should meet:

- A) The business must be locally owned and permanently established in the Township;
- B) Must be registered and in good standing with the State. This would not apply to sole proprietorships.
- C) Must have one employee other than the owner, but not more than 50 employees.
- D) Must have generated revenue prior to March 1, 2020.

One of the concerns would be a local branches of a national business. Based on the assumption that a national business would be adequately capitalized, the local branches should not receive grants. However, in the case of franchises such as McDonalds, Burger King or Caribou Coffee, they are not considered branches of a national corporation. Instead they are independent businesses and should be judged based on the size of the local store.

With lack of clear guidance from federal or state authorities the Town needs to be careful in what grants its makes.

## OVERVIEW

The federal Coronavirus Aid, Relief and Economic Security (CARES) Act established a \$150 billion Coronavirus Relief Fund for distribution to state and local government.

Minnesota was allocated \$853 million, from which White Bear Township will receive approximately \$835,000.00. This funding must be used to support services and grants to businesses, hospitals and individuals impacted by the pandemic. Of the White Bear Township allocation, \$750,000.00 will be used for grants to White Bear Township businesses to reimburse expenditures in response to COVID-19.

The White Bear Township EDA will administer the grant program.

The grant program Application and Guidelines can be found on the Township website at [www.whitebeartownship.org](http://www.whitebeartownship.org) under the tab “Programs & Projects”.

### **Guidelines to apply for a grant**

For-and-Non-Profit businesses that employ fewer than \_\_ Full Time Equivalent (FTEs) are eligible to apply. To determine the number of FTEs add total hours worked by all employees in 2019 (full and part time) and divide by 2080.

- Preference will be given to those businesses that have applied for and not received COVID-19 grants or loans from federal and state governments.
- Grant requests must be between \$500.00 and \$10,000.00.
- Expenses must be in response to COVID-19. Business expenses including, but not limited to, such items as computers, software and other hi-tech goods, linens, protective gear, cleaning equipment, alterations to building structure and grounds, Plexiglass barriers, and new outdoor seating, as examples.
- Applications must include copies of invoices or receipts for expenditures that have already been incurred. If these expenditures are planned for future purchase, include cost estimates or quotes and timeline for purchase. If applications are approved for planned purchases, funds will be released when invoices and receipts are submitted.

### **Non-eligible Expenses**

- Lost Revenue
- Expenses for which you have received other reimbursement (“Double-Dipping” is not allowed)
- Property taxes
- Payroll Expense

# Business Relief During COVID 19

## APPLICANT DATA

Name of Business	Phone number (include area code)
Business address	City, State, Zip
Name of Owner(s)	Phone number (include area code)
Home address	City, State, Zip
Description of business	Email address
Date established	

### SIGNATURES

I declare that any statement in this application and all information provided herein is true and complete to the best of my knowledge. By signing, I agree that I understand that this application will be provided to the White Bear Township EDA and that the entire contents of the application is considered public information and is subject to MN Government Data Practices Act, Minnesota Statutes Chapter 13.

Name of business \_\_\_\_\_

By \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

**Provide the number of Full Time Equivalents (FTEs), including yourself (10 FTEs or less):**

\_\_\_\_\_

**To determine FTEs, add the total hours worked by all employees in 2019 (full and part time) and divide by 2080.**

**Please address these items on a separate piece of paper:**

**Provide the number of Full Time Equivalents (FTEs), including yourself (10 FTEs or less):**

\_\_\_\_\_

**To determine FTEs, add the total hours worked by all employees in 2019 (full and part time) and divide by 2080.**

**Please address these items on a separate piece of paper:**

**1. Provide the amount of grant requested between \$500.00 and \$2,500.00**

**2. Provide detailed information about the expenses this grant will reimburse. Explain how these expenses are in response to the COVID-19 pandemic.**

**3. If these expenditures have already been made, include invoices and receipts.**

**If these expenditures are planned for future purchase, include cost estimates or quotes and a proposed timeline for the purchases to be made. If your grant application is approved, the funds will be released after you submit receipts and invoices.**

**4. Have you applied for State or Federal aid programs? If yes, was your request approved or denied? If no, do you need help applying?**

**5. Do you have business interruption insurance or other insurance that will cover these expenses? If yes, have you filed a claim?**

**6. This is taxable income. Include a completed IRS Form W-9, attached in this**

**\*White Bear Township reserves the right to reject all applications if the applicants do not meet the criteria set forth by the EDA.**

**Grant Program Timeline**

Grant program announced and open for applications	August ____, 2020
Applications must be received by EDA by 5:00 PM	September ____, 2020
Grant awards announced	September ____, 2020
All funds must be spent	November ____, 2020

If there are funds remaining available after September 31, 2020 the Township EDA may announce a second round. ALL EXPENSES MUST HAVE OCCURRED BETWEEN MARCH 1<sup>ST</sup>, 2020 and NOVEMBER 15<sup>TH</sup>, 2020.

**Contact for Questions**

**Patrick Christopherson**

**651-747-2768**



**Town Board Executive Meeting  
August 28, 2020**

**Agenda Number:** 11

**Subject:** Budget

**Documentation:** Finance Office Memo w/ attachments

**Action / Motion for Consideration:**

Report at Meeting / Discuss

**Consideration of the 2021 Preliminary Budget & Tax Levy.** (TK)

**A. REFERENCE AND BACKGROUND:**

The Township is required to certify its 2021 preliminary property tax levy to the County no later than September 30, 2020. This is the tax levy that the County will use on the Truth-In-Taxation notices mailed out in mid-November. Once the preliminary levy is certified to the County, the Town can lower the levy prior to final levy certification in December but the final levy cannot exceed the certified preliminary levy.

As in the past, the Town residents approved a preliminary levy of \$4,647,207 at the Annual Town Meeting back in March. As staff has received budget requests from other agencies and adjusted other line item budgets, the proposed levy has been lowered to \$4,404,555. The changes made since the March Annual Meeting include:

**Expenditures:**

- Lowered the PERA contribution from 8% to 7.5% since the State Legislature approved no contribution increase.
- Adjusted the wages of the new public works/planning/code enforcement assistant.
  - Decreases personnel \$13,584 from Annual Meeting expenditures.
- Audit services increased 34.48% to \$14,120 for the cost of \$3,500 for a single audit of the CARE funds.
- Police budget decreased \$20,850 based on preliminary budget numbers provided by the Sheriff's Department.
- Fire budget decreased \$99,904 based on budget numbers provided by the City of White Bear Lake.
- Sign line item adjusted from \$154,000 to \$30,000 to replacing street signs to meet reflectivity standards.
- Contracted services in road and bridge activity increased \$35,000 for contracting some street repairs.
- The transfer for the Town's annual seal coat project decreased \$10,000 to \$85,000, which is 56.7% of projected project cost.
- Equipment rental fee in all activities are decreased to \$77,000.

**Revenues:**

- Building Permit revenue increased \$10,000 based on current and past activity.
- Fiscal Disparities increased \$22,042 to \$325,928 based on numbers provided by Ramsey County.
- Property Taxes increased 14.02% to \$4,101,681.
- 2021 Debt Levy of \$302,874 and includes the 2019 and 2020 bond issues.

Right now, the General Fund budget increase is 9.38% over the 2020 Budget. The preliminary levy is an increase of 20.25% over the 2020 final levy and a 6.11% over 2020 preliminary levy.

A preliminary levy of \$4,404,555 when applied against the Town's tax capacity of \$16,270,283 would give the Town a tax rate of 25.068%. A tax rate of 25.068% would be the fourth lowest in Ramsey County compared to the final 2020 tax rates for other cities.

The median value home in the Town increased 2.9% from \$287,000 to 295,400. With this tax levy and tax rate if every residential property increased in value 2.9% the tax increase would be between \$61 and \$152.

**B. ALTERNATIVE ACTIONS:**

1. Discuss preliminary levy and direct staff to develop a preliminary levy that meets the Boards goals to be presented and receive approval at the Town Board meeting on September 21<sup>st</sup>.

**C. STAFF RECOMMENDATION:**

Staff has no recommendation.

**D. SUPPORTING DATA:**

2021 Draft (Proposed) Budget and Tax Levy Summary.







ACCOUNT #	GENERAL FUND	2016	2017	2018	2019	2020	2020	2021	%
	REVENUES	ACTUAL	ACTUAL	ACTUAL	ACTUAL	BUDGET	PROJECTED	BUDGET	CHANGE
101-31010	CURRENT AD VALOREM TAXES	\$2,707,036	\$2,702,264	\$2,916,057	\$3,032,756	\$3,293,500		\$3,775,763	14.64%
101-31020	DELINQUENT AD VALOREM TAXES	33,079	13,455	6,787	27,891	0		0	0.00%
101-31040	FISCAL DISPARITIES	245,553	266,957	275,419	271,474	303,886		325,928	7.25%
101-31055	EXCESS INCREMENT	0	0	24,279	5,385	0		0	0.00%
101-31060	PENALTY & INTEREST - TAXES	2,252	7,060	2,362	738	0		0	0.00%
101-32100	BUSINESS LICENSES	10,370	9,900	9,585	9,875	9,500		9,500	0.00%
101-32101	LIQUOR LICENSE	10,325	15,375	15,825	17,875	14,000		14,000	0.00%
101-32102	TOBACCO LICENSES	400	400	400	800	400		400	0.00%
101-32200	CONTRACTOR LICENSES	8,850	7,605	9,060	8,400	7,000		7,000	0.00%
101-32210	BUILDING PERMITS	122,176	141,959	128,013	112,930	110,000		110,000	0.00%
101-32220	RENTAL DWELLING LICENSES	22,140	1,275	23,360	1,274	20,000		1,000	-95.00%
101-32225	VACANT BUILDING REGISTRATIONS	8,920	2,200	6,600	4,400	5,000		5,000	0.00%
101-32231	METER PERMITS	1,350	1,500	1,980	1,140	1,000		1,000	0.00%
101-32232	INSIDE WATER PERMIT	13,401	17,178	12,223	9,159	10,000		8,000	-20.00%
101-32233	OUTSIDE SEWER/WATER PERMITS	1,642	3,130	1,725	1,345	1,000		1,000	0.00%
101-32240	GAS/HEATING PERMITS	20,763	18,472	22,504	18,414	18,288		18,000	-1.57%
101-32250	ELECTRIC PERMITS	864	3,128	3,187	2,687	1,500		1,500	0.00%
101-32260	ANIMAL CONTROL LICENSES	8,213	1,124	8,781	662	7,500		400	-94.67%
101-32270	OTHER PERMITS	15,995	10,661	14,713	11,744	10,000		10,000	0.00%
101-33400	HOMESTEAD CREDIT (HACAMV)	17	15	15	15	14		14	0.00%
101-33410	SCORE GRANT	26,889	27,335	26,476	28,390	29,000		29,000	0.00%
101-33415	PERA INCREASE AID	4,266	4,266	4,266	4,911	0		0	0.00%
101-33420	POLICE STATE AID	32,352	48,282	48,282	37,004	60,000		60,000	0.00%
101-33430	COUNTY HIGHWAY AIDS	25,769	29,111	25,078	28,835	25,000		25,000	0.00%
101-33700	CABLE TV FRANCHISE FEES	148,745	96,457	106,264	124,736	100,000		100,000	0.00%
101-34100	SALE OF SUPPLIES	4,114	2,098	3,109	2,123	2,500		2,500	0.00%
101-34110	SPECIAL ASSESSMENT SEARCHES	80	120	20	20	0		0	0.00%
101-34115	FALSE ALARMS	950	422	(186)	1,662	1,000		1,000	0.00%
101-34120	ENGINEERING CHARGES	40,867	8,506	42,978	14,851	8,000		8,000	0.00%
101-34122	PLANNING CHARGES	5,979	4,861	23,029	16,186	3,000		3,000	0.00%
101-34123	CHARGES FOR LEGAL FEES	12,170	2,688	4,176	1,572	2,500		2,500	0.00%
101-34129	PW BILLED SERVICES	0	0	27,323	60,562	15,000		15,000	100.00%
101-34127	CODE ENFORCEMENT SERVICES	0	0	0	18,641	0		0	0.00%
101-34130	ADMINISTRATIVE CHARGES	49,788	20,133	32,965	18,315	25,000		30,000	20.00%
101-34131	BOND ADMINISTRATIVE CHARGES	0	0	0	0	0		0	0.00%
101-34132	INVESTMENT ADMIN FEE	(13,845)	27,738	21,284	31,529	20,500		18,122	-11.60%
101-34140	CONTRACTUAL SERVICES	49,925	68,080	62,540	9,474	48,000		45,000	-6.25%
101-34145	ANIMAL IMPOUND FEES	210	274	0	0	0		0	0.00%
101-34150	SURCHARGE/SAC RETAINAGE	564	868	3,574	448	350		350	0.00%
101-34200	PLAN CHECK FEES	34,993	40,065	29,804	26,030	27,000		23,000	-14.81%
101-35100	TRAFFIC & OTHER FINES	10,724	12,184	11,073	9,728	9,000		9,000	0.00%
101-35150	ADMINISTRATIVE CITATIONS	7,600	8,800	7,269	8,471	7,000		8,000	14.29%
101-36210	INTEREST EARNINGS	13,683	20,149	17,737	82,513	40,500		34,405	-15.05%
101-36230	DONATIONS FROM PRIVATE SOURCES	1,790	2,376	2,337	4,092	500		500	0.00%
101-36400	FACILITY RENTAL FEES	171,882	272,553	210,476	234,486	210,000		169,500	-19.29%
101-36401	FACILITY RENTAL FEES - TOWNSHIP Df	1,345	1,480	1,655	1,829	1,300		1,300	0.00%
101-39000	MISCELLANEOUS	9,884	38,860	75,245	86,524	19,275		19,275	0.00%
101-39001	MISC. - SALE OF RECYCLING	584	621	552	7,223	450		450	0.00%
101-39020	P-CARD REBATE	1,097	743	2,364	637	750		750	100.00%
101-39300	TRANSFERS FROM OTHER FDS	17,500	20,801	15,000	15,000	20,000		15,000	-25.00%
	TOTAL REVENUES	\$3,893,241	\$3,967,579	\$4,287,565	\$4,415,336	\$4,488,213	\$0	\$4,908,147	9.38%







ACCOUNT #	2016 ACTUAL	2017 ACTUAL	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 PROJECTED	2021 BUDGET	% CHANGE
101-4160-101								
101-4160-102								
101-4160-103								
101-4160-104								
101-4160-108	7,411	7,100	7,352	4,694	4,755		4,910	3.26%
101-4160-121	10,680	10,943	11,612	11,456	12,577		12,437	-1.12%
101-4160-122	10,658	11,013	11,520	11,262	12,828		12,685	-1.12%
101-4160-131	20,503	20,235	20,520	20,823	32,890		27,640	-15.96%
101-4160-132	808	739	1,356	1,330	1,159		1,180	1.81%
101-4160-135	0	0	0	0	0		0	0.00%
101-4160-151	1,455	1,530	1,675	1,725	1,775		1,850	4.23%
101-4160-201	150	150	150	188	125		200	60.00%
101-4160-250	0	0	0	0	0		0	0.00%
101-4160-308	2,400	26,468	39,111	17,524	3,000		2,000	-33.33%
101-4160-331	942	480	670	0	700		500	-28.57%
101-4160-332	1,320	1,279	1,467	1,406	1,400		1,500	7.14%
101-4160-333	65	685	553	420	650		500	-23.08%
101-4160-415	1,500	1,700	1,700	1,700	1,500		2,000	33.33%
101-4160-433	1,702	1,282	1,434	1,282	1,300		1,400	7.69%
101-4160-434	0	0	0	0	0		0	0.00%
101-4160-560	0	0	0	0	0		0	0.00%
101-4160-580	0	0	0	0	0		0	0.00%
TOTAL EXPENDITURES	\$199,093	\$227,581	\$259,439	\$225,374	\$237,595	\$0	\$229,712	-3.32%



ACCOUNT #	ROAD & BRIDGE	2016	2017	2018	2019	2020	2020	2021	%
		ACTUAL	ACTUAL	ACTUAL	ACTUAL	BUDGET	PROJECTED	BUDGET	CHANGE
101-4310-101	ROAD & BRIDGE	\$152,518	\$167,238	\$172,578	\$182,677	\$290,820		\$304,950	4.86%
101-4310-102	SALARIES, FULL TIME - REG	0	0	0	0	2,700		2,700	0.00%
101-4310-102	SALARIES, FULL TIME - OT	0	0	0	0	0		0	0.00%
101-4310-103	SALARIES, PART-TIME - REG	5,154	5,299	6,684	7,098	8,900		11,600	30.34%
101-4310-104	SALARIES, TEMPORARY - REG	11,432	12,558	12,935	13,698	22,014		23,074	4.81%
101-4310-121	PERA CONTRIBUTIONS	11,178	12,666	13,102	13,871	23,135		24,423	5.57%
101-4310-122	FICA CONTRIBUTIONS	26,576	33,003	31,046	31,383	50,694		54,710	7.92%
101-4310-131	HEALTH INSURANCE	1,077	1,067	1,614	1,492	2,259		2,320	2.70%
101-4310-132	DISABILITY INSURANCE	0	0	0	0	0		0	0.00%
101-4310-135	HEALTH INSUR. CASH CREDIT	0	0	0	0	400		400	0.00%
101-4310-142	UNEMPLOYMENT BENEFITS	0	0	0	0	20,375		21,000	3.07%
101-4310-151	WORKER'S COMPENSATION	16,625	17,475	19,200	19,780	125		125	0.00%
101-4310-201	OFFICE SUPPLIES	100	100	115	100	0		0	0.00%
101-4310-215	SHOP MATERIALS	0	0	0	0	0		0	0.00%
101-4310-215	SHOP MATERIALS	49,499	50,273	23,530	48,023	37,000		50,000	35.14%
101-4310-216	CHEMICALS	1,525	2,562	3,345	1,146	3,800		4,100	7.89%
101-4310-220	OPERATING SUPPLIES - OTHER	16,323	36,374	37,639	49,345	35,000		40,000	14.29%
101-4310-224	STREET MAINTENANCE MATERIALS	509	997	684	286	800		1,250	56.25%
101-4310-225	LANDSCAPING MATERIALS	616	11,815	5,134	8,253	4,000		30,000	650.00%
101-4310-226	SIGNS, SIGN REPAIR MATERIALS	1,343	1,231	1,540	1,062	1,500		1,500	0.00%
101-4310-228	UNIFORM ALLOWANCE	693	247	464	861	700		700	0.00%
101-4310-229	UNIFORM MAINTENANCE	197	92	51	30	400		400	0.00%
101-4310-240	SMALL TOOLS & EQUIPMENT	0	0	0	0	0		0	0.00%
101-4310-250	SALES TAX	21,576	15,298	23,014	9,395	17,000		17,000	0.00%
101-4310-303	PROF SRV - ENGINEERING FEE	1,587	0	699	4,875	800		800	0.00%
101-4310-308	PROFESSIONAL SERVICES	3,364	19,219	14,586	25,077	27,500		70,000	154.55%
101-4310-309	CONTRACTED SERVICES	0	0	0	0	0		0	0.00%
101-4310-313	SEALCOATING/ROAD MAINT. REPAIR	0	0	0	0	0		0	0.00%
101-4310-321	TELEPHONE	0	0	0	0	200		200	0.00%
101-4310-331	TRAVEL EXPENSE	0	0	0	0	2,000		2,495	24.75%
101-4310-333	CONFERENCE & SCHOOLS	1,773	1,114	2,616	675	0		0	0.00%
101-4310-351	LEGAL NOTICE PUBLICATION	0	0	0	0	0		0	0.00%
101-4310-385	ELECTRICITY - STREET LIGHTS	56,354	63,521	40,082	61,972	55,000		65,000	18.18%
101-4310-405	REPAIR/MAINTENANCE - OTHER	2,876	425	6,237	0	4,000		4,000	0.00%
101-4310-415	EQUIPMENT RENTAL	27,500	45,000	45,000	45,000	42,000		85,000	102.38%
101-4310-434	BOOKS/SUBSCRIPTIONS	0	0	0	0	0		0	0.00%
101-4310-510	LAND	0	0	0	0	0		0	0.00%
101-4310-530	IMPROVEMENTS	0	0	0	0	0		0	0.00%
101-4310-540	MOTOR VEHICLES	0	0	0	0	0		0	0.00%
101-4310-560	FURNITURE & FIXTURES	0	0	0	0	0		0	0.00%
101-4310-720	TRANSFERS TO OTHER FUNDS	508,000	71,000	79,000	81,500	82,000		85,000	3.66%
	TOTAL EXPENDITURES	\$918,395	\$568,574	\$540,895	\$607,599	\$735,122	\$0	\$902,746	22.80%

ACCOUNT #		2016	2017	2018	2019	2020	2020	2021	%
		ACTUAL	ACTUAL	ACTUAL	ACTUAL	BUDGET	PROJECTED	BUDGET	CHANGE
101-4320-101	PUBLIC WORKS					\$113,106		\$125,220	10.71%
101-4320-102	SALARIES, FULL TIME - REG	\$54,967	\$60,541	\$62,744	\$65,745	0	0	0	0.00%
101-4320-102	SALARIES, PART-TIME - OT	0	94	0	0	0	0	0	0.00%
101-4320-103	SALARIES, FULL-TIME - REG	0	0	0	0	0	0	0	100.00%
101-4320-104	SALARIES, TEMPORARY - REG	0	0	0	0	0	0	0	0.00%
101-4320-121	PERA CONTRIBUTIONS	4,127	4,553	4,703	4,930	8,483		9,392	10.71%
101-4320-122	FICA CONTRIBUTIONS	3,842	4,426	4,570	4,779	8,653		9,579	10.71%
101-4320-131	HEALTH INSURANCE	10,665	13,560	12,754	12,909	21,754		22,755	4.60%
101-4320-132	HEALTH INSURANCE	440	436	661	611	938		995	6.08%
101-4320-135	HEALTH INSUR. CASH CREDIT	0	0	0	0	0		0	0.00%
101-4320-151	WORKER'S COMP BENEFIT PAYM	3,175	3,350	3,680	3,790	3,905		4,025	3.07%
101-4320-211	CLEANING SUPPLIES	23	152	(152)	0	0		0	0.00%
101-4320-212	MOTOR FUELS	9,959	13,352	37,177	32,864	24,000		30,000	25.00%
101-4320-213	LUBRICANTS & ADDITIVES	1,388	2,251	2,593	1,408	2,500		2,000	-20.00%
101-4320-215	SHOP MATERIALS	5,968	972	2,858	2,015	4,000		3,000	-25.00%
101-4320-216	CHEMICALS	794	0	175	1,850	400		1,500	275.00%
101-4320-220	OPERATING SUPPLIES - OTHER	5,525	11,860	7,146	12,896	9,000		13,000	44.44%
101-4320-221	EQUIPMENT REPAIR PARTS	27,384	18,153	20,087	22,415	23,000		25,000	8.70%
101-4320-228	UNIFORM ALLOWANCE	559	516	642	443	606		606	0.00%
101-4320-229	UNIFORM MAINTENANCE	289	159	256	338	600		600	0.00%
101-4320-240	SMALL TOOLS & EQUIPMENT	1,141	5,532	6,495	5,081	4,000		5,000	25.00%
101-4320-250	SALES TAX	9,732	16	368	20	0		0	0.00%
101-4320-308	PROFESSIONAL SERVICES	1,144	1,112	8,045	3,226	3,800		3,800	0.00%
101-4320-309	CONTRACTED SERVICES	1,896	1,878	2,071	265	2,000		2,000	0.00%
101-4320-331	TRAVEL EXPENSES	256	0	133	1,022	300		300	0.00%
101-4320-333	CONFERENCE & SCHOOLS	1,822	5,525	7,606	6,794	6,000		7,000	16.67%
101-4320-363	AUTOMOTIVE INSURANCE	12,000	11,650	12,500	13,000	10,000		12,000	20.00%
101-4320-404	REPAIR & MTC - EQUIPMENT	22,008	17,483	31,697	49,444	21,000		31,000	47.62%
101-4320-405	REPAIR & MTC - OTHER	1,325	7,266	1,406	1,410	2,000		2,000	0.00%
101-4320-415	EQUIPMENT RENTAL	27,000	46,686	45,000	45,000	42,000		85,000	102.38%
101-4320-434	BOOKS/SUBSCRIPTIONS	399	0	273	245	350		350	0.00%
101-4320-530	IMPROVEMENTS	0	0	0	0	0		0	0.00%
101-4320-540	HEAVY MACHINERY/EQUIPMENT	0	0	0	0	0		0	0.00%
101-4320-580	OTHER EQUIPMENT	0	0	0	0	0		0	0.00%
101-4320-720	TRANSFERS TO OTHER FUNDS	0	0	0	0	0		0	0.00%
	TOTAL EXPENDITURES	\$207,828	\$231,523	\$275,488	\$292,500	\$312,395	\$0	\$396,122	26.80%

ACCOUNT #	TOWN BUILDINGS	2016 ACTUAL	2017 ACTUAL	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 PROJECTED	2021 BUDGET	% CHANGE
101-4330-101	SALARIES, FULL TIME - REG	\$12,406	\$13,653	\$14,036	\$15,207	\$23,232		\$24,625	6.00%
101-4330-102	SALARIES, FULL TIME - OT	0	28	7	47	0		0	0.00%
101-4330-103	SALARIES, PART-TIME - REG	0	0	0	0	0		0	0.00%
101-4330-104	SALARIES, TEMPORARY - REG	1,288	548	475	617	0		0	0.00%
101-4330-121	PERA CONTRIBUTIONS	931	1,027	1,053	1,143	1,742		1,847	6.00%
101-4330-122	FICA CONTRIBUTIONS	977	1,045	1,063	1,163	1,777		1,884	6.00%
101-4330-131	HEALTH INSURANCE	2,260	2,767	2,551	2,582	3,722		4,150	11.50%
101-4330-132	DISABILITY INSURANCE	88	87	132	122	181		190	4.97%
101-4330-135	HEALTH INSUR. CASH CREDIT	0	0	0	0	0		0	0.00%
101-4330-142	UNEMPLOYMENT BENEFITS	0	0	0	0	0		0	0.00%
101-4330-151	WORKER'S COMPENSATION	830	875	960	1,000	1,030		1,075	4.37%
101-4330-211	CLEANING SUPPLIES	0	0	0	0	0		0	0.00%
101-4330-215	SHOP MATERIALS	0	0	0	0	0		0	0.00%
101-4330-216	CHEMICALS	170	95	58	334	0		3,000	0.00%
101-4330-220	OPERATING SUPPLIES - OTHER	7,569	6,231	2,443	2,549	3,800		3,800	0.00%
101-4330-223	BUILDING MATERIALS	0	1,688	420	102	400		400	0.00%
101-4330-228	UNIFORM ALLOWANCE	112	103	128	88	150		150	0.00%
101-4330-229	UNIFORM MAINTENANCE	58	21	39	70	75		75	0.00%
101-4330-250	SALES TAX	0	0	0	0	0		0	0.00%
101-4330-308	PROFESSIONAL SERVICES	1,787	1,275	2,412	2,493	2,000		2,500	25.00%
101-4330-309	CONTRACTED SERVICES	13,460	21,288	39,348	12,578	16,000		16,000	0.00%
101-4330-317	BUILDING INSPECTIONS	0	0	0	0	0		0	0.00%
101-4330-318	SECURITY MONITORING FEES	1,494	1,879	2,438	1,001	2,500		3,000	20.00%
101-4330-320	TELEPHONE	10,893	12,039	11,425	16,020	13,000		15,000	15.38%
101-4330-331	TRAVEL EXPENSES	0	0	0	0	0		0	0.00%
101-4330-333	REGISTRATION & CONFERENCE FEE	54	0	0	0	0		0	0.00%
101-4330-381	ELECTRICITY	16,621	14,813	17,064	15,107	18,500		18,500	0.00%
101-4330-382	GAS	7,775	6,412	11,202	10,995	10,250		10,500	2.44%
101-4330-384	HERITAGE HALL	4,505	3,673	2,902	7,080	5,000		6,500	30.00%
101-4330-386	WATER/SEWER UTILITIES	1,845	1,452	3,561	4,127	4,000		4,500	12.50%
101-4330-401	REPAIR MAINTENANCE - BLDG.	11,171	9,917	19,033	10,517	9,519		10,000	5.05%
101-4330-404	REPAIR MAINTENANCE - EQUIP.	7,687	2,667	5,546	5,341	5,500		5,500	0.00%
101-4330-405	REPAIR MAINTENANCE - OTHER	1,025	4,527	900	295	2,000		2,000	0.00%
101-4330-411	FACILITY RENTAL	26,500	26,500	26,500	26,500	26,500		26,500	0.00%
101-4330-415	EQUIPMENT RENTAL	9,000	10,500	10,500	10,500	10,500		10,500	0.00%
101-4330-520	BUILDING IMPROVEMENT	3,890	0	0	2,997	0		0	0.00%
101-4330-530	OTHER IMPROVEMENTS	521	0	0	0	0		0	0.00%
101-4330-720	TRANSFERS TO OTHER FUNDS	50,000	0	0	0	0		0	0.00%
	TOTAL EXPENDITURES	\$194,917	\$145,110	\$176,196	\$150,575	\$161,379	\$0	\$172,196	6.70%



ACCOUNT #		2016	2017	2018	2019	2020	2020	2021	%
		ACTUAL	ACTUAL	ACTUAL	ACTUAL	BUDGET	PROJECTED	BUDGET	CHANGE
101-4411-101	TOWNSHIP DAY FESTIVAL	\$0	\$0	\$0	\$0	\$0		\$0	0.00%
101-4411-102	SALARIES, FULL TIME - REG	0	0	0	0	0		0	0.00%
101-4411-103	SALARIES, FULL TIME - OT	0	0	0	0	0		0	0.00%
101-4411-104	SALARIES, PART-TIME - REG	0	0	0	0	0		0	0.00%
101-4411-104	SALARIES, TEMPORARY - REG	0	0	0	0	0		0	0.00%
101-4411-121	PERA CONTRIBUTIONS	0	0	0	0	0		0	0.00%
101-4411-122	FICA CONTRIBUTIONS	0	0	0	0	0		0	0.00%
101-4411-131	HEALTH/DENTAL/LIFE INSURAN	0	0	0	0	0		0	0.00%
101-4411-142	U. C. BENEFIT PAYMENTS	0	0	0	0	0		0	0.00%
101-4411-151	WORKER'S COMP BENEFIT PAYM	0	0	0	0	0		0	0.00%
101-4411-220	OPERATING SUPPLIES - OTHER	2	100	0	0	500		500	0.00%
101-4411-250	SALES TAX	0	0	0	0	0		0	0.00%
101-4411-308	PROFESSIONAL SERVICES	18,336	30,576	26,943	30,523	27,000		27,000	0.00%
	MOVIE IN THE PARK SERIES	0	0	107	2,975	4,500		4,500	0.00%
101-4411-331	TRAVEL EXPENSE	0	0	0	0	0		0	0.00%
101-4411-355	ADVERTISING	412	0	2,607	4,922	2,200		2,200	0.00%
101-4411-449	MISCELLANEOUS	0	0	433	0	800		500	-37.50%
101-4411-530	IMPROVEMENTS	0	0	0	0	0		0	0.00%
101-4411-540	HEAVY MACHINERY	0	0	0	0	0		0	0.00%
101-4411-720	TRANSFERS TO OTHER FUNDS	0	801	0	0	0		0	0.00%
	TOTAL EXPENDITURES	\$18,750	\$31,477	\$30,090	\$38,420	\$35,000		\$34,700	-0.86%
	TOTAL GENERAL FUND	\$4,151,040	\$3,819,037	\$4,081,900	\$4,168,006	\$4,488,213		\$4,909,147	9.38%



**Town Board Executive Meeting  
August 28, 2020**

**Agenda Number:** 12

**Subject:** Ramsey County WBL Funding - Discussion

**Documentation:** Email

**Action / Motion for Consideration:**

Report at Meeting / Discuss

## Patti Walstad

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**From:** Pat Christopherson  
**Sent:** Monday, August 10, 2020 8:33 AM  
**To:** Steve Ruzek; Scott McCune; Ed Prudhon  
**Cc:** Patti Walstad  
**Subject:** FW: CRF money  
**Attachments:** Ramsey County WBL Funding Response 8-1-20.pdf

Board (and Patti)

Attached is a project we are working on coordinating with the City, please review for your interest and let's talk about it at the Executive Committee....Patti, please add to the agenda

PC

To: Ellen Hiniker, White Bear Lake City Manager  
 From: Ling Becker, Ramsey County Workforce Solutions Director  
 Date: August 1, 2020  
 Re: CARES Funding Partnership  
 Cc: Johanna Berg, Ramsey County Deputy County Manager

Thank you for reaching out regarding to workforce partnership opportunities with White Bear Lake CARES funding. Here is an outline of the two ideas that would be most viable for the county to support in some capacity.

**Community Career Lab Services for COVID-19 Impacted Residents**

White Bear Lake CARES funds would be used to open a community career lab within the City of White Bear Lake. Possible roles and responsibilities would be:

White Bear Lake	<ul style="list-style-type: none"> <li>• Identify and secure space</li> <li>• Procure and provide IT equipment, printer/copier, phone, etc</li> <li>• Procure and provide PPE</li> <li>• Procure and provide custodial services</li> <li>• Marketing, promotion and communications materials</li> <li>• Provide and operate reservation line</li> <li>• Determine hours of operation</li> </ul>
Ramsey County	<ul style="list-style-type: none"> <li>• Provide trained Career Lab supervisor and assistant to work at the Career Lab</li> <li>• Coordination and promotion with county marketing of our Career Labs via county website</li> </ul>

**Work Experience Opportunities for COVID-19 Impacted Residents:**

White Bear Lake CARES funds would be used to support a cohort of work experiences for COVID-19 impacted residents within White Bear Lake businesses in partnership with the White Bear Lake Chamber of Commerce. Possible roles and responsibilities would be:

White Bear Lake	<ul style="list-style-type: none"> <li>• Market program to residents and businesses in partnership with the White Bear Lake Chamber</li> </ul>
White Bear Lake Chamber	<ul style="list-style-type: none"> <li>• Market program to businesses</li> <li>• Coordinate work sites</li> <li>• Develop resident and business application process and process for match/selection</li> <li>• Determine hourly wage for roles</li> <li>• Help business and employees complete necessary payroll paperwork</li> </ul>
Ramsey County	<ul style="list-style-type: none"> <li>• Provide resources on work site coordination</li> <li>• Payroll processing for program participants</li> <li>• Overhead and coordination support</li> </ul>

- Recommended model would be cohort based so there is efficient coordination of marketing, experience start/end, etc.
- Recommended work duration would be 120-160 hours
- Recommended preference for those looking to transition into new industries due to COVID-19 impacts on previous job.

**Other considerations:**

**COVID-19 Impact**

The definition for eligibility for work experience should be clear. For workforce programming the county is using:

- Experienced Job Loss
- Experienced Reduced Hours
- Change or Loss in Household Income
- Future Uncertainty in Industry
- Other Barrier Due to COVID-19

**Funding Timeline:**

I am uncertain as the rules and regulations about the spending of your CARES dollars. I am not sure if the city could give the county funds in order for you to extend your timeframe to December 30, 2020. If that were possible and something both the city and county would want to pursue, it would involve a greater role for the county and would increase overhead costs that we would charge to execute these projects would be my guess. Next steps would be conversation with county leadership on next steps.

There are a variety of variables and therefore I am not able to provide an estimated cost. It will depend on:

- How much overhead support the county provides
- Your intended scope of services, hours, etc (Community Career Lab project)
- The number of residents you intend to serve (Work Experience project).

I know we'd need to move pretty quickly to maximize the use of the funds and ensure these resources are deployed to your community in a timely manner. Please keep me updated next steps if you want to move toward a planning stage with the county after your city council meeting on Tuesday.



**Town Board Executive Meeting  
August 28, 2020**

**Agenda Number:** 13

**Subject:** Public Works Director Report

**Documentation:** None

**Action / Motion for Consideration:**

Report at Meeting / Discuss



**Town Board Executive Meeting  
August 28, 2020**

**Agenda Number:** 14.a.

**Code Enforcement Officer / Building Inspector Report:**

**Subject:** 5456 Township Drive

**Documentation:** Grass Cutting Invoice / Abatement Notice

**Action / Motion for Consideration:**

Report at Meeting / Discuss

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**Minutes  
Executive Meeting  
July 24, 2020**

**5456 Township Drive:** The Town Clerk reported on behalf of the Town Building Inspector. An abatement order went out to the property owners James Wung and Anthonia Kum. The tenant had moved out, but had left some of their belongings. The following will need to be taken care of by July 31<sup>st</sup>: removal of all personal property, and a list was given; yard maintenance, cutting the overgrown yard and removal of leaves and overgrown vegetation. If the landlords or tenants don't clear the abatement, the landlords will be charged for Town staff clearing the order, as well as a 25% additional fee of such costs for staff time. There will be more discussion on this property once the abatement is cleared.



2330 Leibel Street Ste 105 | White Bear Twp, MN 55110  
6518081128 | matt@cleancutoutdoor.com | cleancutoutdoor.com

**RECIPIENT:**

**White Bear Township**

1281 Hammond Rd  
White Bear Township, MN 55110

**SERVICE ADDRESS:**

5456 Township Drive  
White Bear Lake, Minnesota 55110

**Invoice #14325**

Issued Aug 18, 2020

Due Sep 02, 2020

**Total \$405.00**

**Invoice from Clean Cut Outdoor Services**

PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT COST	TOTAL
<b>Aug 17, 2020</b>				
Brush Mowing	Mow property to get to code. 3 man hours	3	\$70.00	\$210.00
Clean Up	Clean Up Debris on property. 1.5 man hours	1.5	\$70.00	\$105.00
Haul Away	Haul away debris to Township dumpster and dispose of.	1	\$90.00	\$90.00*
Subtotal				\$405.00
Non Taxable (0.0%)				\$0.00
<b>Total</b>				<b>\$405.00</b>

\* Non-taxable

Thank you for your business. Please contact us with any questions regarding this invoice.

**White Bear Township**  
1281 Hammond Rd  
White Bear Township, MN 55110

**Invoice from Clean Cut Outdoor Services**

**Invoice #:** 14325  
**Due date:** Sep 02, 2020  
**Amount due:** \$405.00  
**Amount enclosed:** \_\_\_\_\_

Mail to:  
**Clean Cut Outdoor Services**  
2330 Leibel Street Ste 105  
White Bear Twp, MN 55110



# 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](mailto:wbt@whitebeartownship.org)

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

## ABATEMENT NOTICE

August 20, 2020

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

RE: 5456 Township Drive, White Bear Township, MN 55110  
Pin No. 103022220056

The property described above has been declared a public nuisance under the jurisdiction of White Bear Township, Town Ordinance No.16, Section 4-4.

An abatement deadline has been set for no later than September 1, 2020. The following Town Ordinance was determined to be in violation by the Town Code Enforcement Officer:

**Township Ordinance No. 16, Section 15**, regulates portable storage containers and refuse disposal containers. This Ordinance states that no property owner or person shall store portable storage/disposal containers for more than 30 days in any 12 month time period.

The property owner or responsible party may appeal the abatement order by requesting a hearing before the Town's 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 said nuisance, or failure to submit a written request for a public hearing, shall cause the Township to exercise its right to abate said nuisance and recover such abatement costs, plus an additional 25% of the authorized expenditures. All costs shall be assessed as a lien against the property.

Respectfully,

Mike Johnson  
Building Official/Code Enforcement Officer



recycled paper



**Town Board Executive Meeting  
August 28, 2020**

**Agenda Number: 14.b.**

**Code Enforcement Officer / Building Inspector Report:**

**Subject: 5305 West Bald Eagle Boulevard**

**Documentation: None**

**Action / Motion for Consideration:**

**Report at Meeting / Discuss**

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**Minutes  
Executive Meeting  
June 26, 2020**

**5305 West Bald Eagle Boulevard:** The Town Clerk forwarded emails to the Board and this agenda item will be at the July 6<sup>th</sup> 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 6<sup>th</sup> 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 6<sup>th</sup>. 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 6<sup>th</sup>. 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.



**Town Board Executive Meeting  
August 28, 2020**

**Agenda Number:** 14.c.

**Code Enforcement Officer / Building Inspector Report:**

**Subject:** 1378 South Birch Lake Boulevard

**Documentation:** Grass Cutting Invoice

**Action / Motion for Consideration:**

Report at Meeting / Discuss

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**Minutes**  
**Executive Meeting**  
**June 26, 2020**

**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 23<sup>rd</sup> 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.



2330 Leibel Street Ste 105 | White Bear Twp, MN 55110  
6518081128 | matt@cleancutoutdoor.com | cleancutoutdoor.com

**RECIPIENT:**

**White Bear Township**

1281 Hammond Rd  
White Bear Township, MN 55110

**SERVICE ADDRESS:**

1378 South Birch Lake Boulevard  
Saint Paul, Minnesota 55110

**Invoice #14324**

Issued Aug 18, 2020

Due Sep 02, 2020

**Total \$210.00**

**Invoice from Clean Cut Outdoor Services**

PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT COST	TOTAL
Aug 17, 2020				
Brush Mowing	Brush mow property to get to code. 3 man hours	3	\$70.00	\$210.00

Thank you for your business. Please contact us with any questions regarding this invoice.

Subtotal	\$210.00
Non Taxable (0.0%)	\$0.00
<b>Total</b>	<b>\$210.00</b>

**White Bear Township**  
1281 Hammond Rd  
White Bear Township, MN 55110

**Invoice from Clean Cut Outdoor Services**

**Invoice #:** 14324  
**Due date:** Sep 02, 2020  
**Amount due:** \$210.00  
**Amount enclosed:** \_\_\_\_\_

Mail to:  
**Clean Cut Outdoor Services**  
2330 Leibel Street Ste 105  
White Bear Twp, MN 55110



## Town Board Executive Meeting August 28, 2020

**Agenda Number:** 15.a.

**Clerk-Treasurer Report:**

**Subject:** DNR Groundwater Management - Update

**Documentation:** None

### Action / Motion for Consideration:

#### Report at Meeting / Discuss

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**Minutes**  
**Executive Meeting**  
**July 24, 2020**

**DNR Groundwater Management – Update:** The Town Attorney re-explained his update of the Minnesota Supreme Court decision from Wednesday, July 15<sup>th</sup>. They reversed the Court of Appeals on the issue of whether or not the plaintiffs brought the action under the proper statute, 116B.03, and the State and the position of the Town of White Bear was that they had to bring it under the statute 116B.10. The difference was the relief that the court could craft. But because there are a number of issues raised by the state, Township, and the City that were not dealt with by the Court of Appeals, the case has been remanded back to the Court of Appeals to make decisions on the issues not dealt with. The Attorney received a letter from the Court of Appeals outlining how they intend to do that, and the Town has until August 14<sup>th</sup> to file amended additional briefs if it so chooses, but it has to be new information. At this point, it isn't clear whether the Court will hold oral hearings or just take the case under advisement based on the briefs that are submitted.

There was some discussion of how the Town was noted in the briefs so far and that there is nothing new to add. The Town Attorney will keep a close eye on whether or not case law has changed. There was some discussion of the permits and how the plaintiffs would have to proceed if they wanted to take on that route. The lawsuit was filed in August of 2013, and it keeps dragging on. It was noted that the Doctrine of Public Trust doesn't apply. And there was some other discussion. The Attorney noted the different ways this case could go: the DNR could appeal the District Court, stating that it didn't challenge points from all parties, which would set the case back; the District Court wants to open permits from the case; this could impact permitting, but it was noted in the case that this wasn't going to happen; or the District Court could declare the accusations erroneous. He also explained the Township's concerns: that the Court violated the separation of powers; and the District Court doesn't have jurisdiction to affect well permits.

There will be more to update once any additional information is filed on August 14<sup>th</sup>.



**Town Board Executive Meeting  
August 28, 2020**

**Agenda Number:** 16

**Closed Session:**

**Subject:** Union Negotiations

**Documentation:** None

**Action / Motion for Consideration:**

Report at Meeting / Discuss



**Town Board Executive Meeting  
August 28, 2020**

**Agenda Number:** 17 – 18 - 19

**Subject:** Added Agenda Items  
Receipt of Agenda Materials / Supplements  
Adjournment

**Action / Motion for Consideration:**