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City recommits to lake lawsuit fight

BY DEBRA NEUTKENS
EDITOR

WHITE BEAR LAKE — In February 2014, the city agreed to intervene in the lawsuit filed by the White Bear Lake Restoration Association against the Minnesota Department of Natural Resources.

That commitment, which included retaining the law firm of Greene Espel to represent the city, was reaffirmed Nov. 9 by City Council, four months before the trial. Its unanimous decision followed a closed meeting last month with City Attorney Roger

Jensen and Green Espel attorney Monte Mills to discuss the city's continued involvement in the lawsuit and anticipated costs.

So far, the city has spent about \$276,000 on lake level litigation with legal costs expected to reach \$250,000 in 2017. Funds for the legal expenses are being drawn from the city's water enterprise fund, revenues for which are generated through charges to the city's 8,500 water users.

City Manager Ellen Richter reminded council that the plaintiff's original submissions to the court specifically cite White Bear Lake's municipal wells

as "directly and adversely impacting lake levels."

The council indicated its continued support during the closed meeting to protect the city's infrastructure interests, Richter said.

"Continuing as co-defendant secures the city's opportunity to appeal an unfavorable decision at the district court level and provides opportunity to present evidence and question witnesses during the trial," she added.

Date of the trial is March 6, 2017. All parties to the lawsuit have been instructed that a trial could take up to five weeks.